

both been lost during the present war, the *Oceanic* off the north coast of Scotland and the *Kaiser Wilhelm der Grosse* in battle off the coast of Africa, but doubtless the comparison holds good as between the American and other foreign steamships of the same class.

Rating.	American— St. Louis.		British— Oceanic.		German— Kaiser Wilhelm der Grosse.	
	Num- ber.	Total wages.	Num- ber.	Total wages.	Num- ber.	Total wages.
Deck officers.....	6	\$430.00	7	\$359.64	6	\$221.34
Deck force.....	45	1,129.58	44	967.14	53	656.99
Engineers.....	29	1,595.00	25	1,455.57	34	1,069.53
Firemen.....	136	4,860.75	153	3,676.59	179	2,879.80
Purser, etc.....	4	242.50	5	230.85	5	138.04
Culinary.....	27	680.09	21	493.29	25	486.95
Stewards.....	125	2,179.04	162	2,530.36	191	2,156.27
Miscellaneous.....	8	189.13	10	177.88	7	106.63
Total.....	380	11,306.09	427	9,891.32	500	7,715.55

This shows that the Americans had a total number of persons employed of 380, the British of 427, the Germans of 500. The American wage was \$11,306.09, the British \$9,891.32, and the German \$7,715.55.

It will be noted that the smaller and slower American steamship, with a smaller crew, thus pays a much larger amount for wages than the competing foreign vessels. The comparison would be more exact if the vessels were precisely alike, with the same crews. The crew of 427 men on the British *Oceanic* was paid at the rate of \$9,900 per month in round numbers. A crew of the same number, performing the same duties, if paid at the corresponding rates of wages on the American steamship *St. Louis*, would receive as nearly as may be \$12,500 a month. A crew of the same number, performing the same duties, if paid at the corresponding rates of wages on the German *Kaiser Wilhelm der Grosse*, would receive as nearly as may be \$6,800 per month. The United States consul notes that indirectly the pay on the North German Lloyd Line is increased by the insurance fund and by clothing to some of the crew. The annual contribution to the North German Lloyd insurance fund, \$26,200, when apportioned among 10,000 employees of the company, amounts to about 20 cents each a month and does not affect the facts already mentioned. The gift of a new uniform once in six months to each of the petty officers and deck force, about 60 men on the *Kaiser Wilhelm der Grosse*, can not involve a large sum. The two items might add about \$200 a month to the pay roll if converted into wages, but they are to be regarded rather as disciplinary measures to retain men in the company's service. Of the *Oceanic's* crew of 427 men, 68 are members of the British naval reserve, under retainers from the British Government.

Mr. President, a new bill has just come over from the other House. While many of the Democratic Members declared that they were opposed to that bill, it will be observed that almost all of them were whipped into line, and it is equally significant that the Republican vote in opposition to the bill was unanimous. So far as I can discover, the measure passed by the House is equally as obnoxious as the bill that we have been discussing in this body, and I will venture to express the hope that it will fail of passage when it is brought before the Senate for consideration.

As the Senator from Rhode Island [Mr. LIPPITT] on yesterday very wisely said, it would seem to be our duty to drop the shipping bill and proceed to the consideration of the appropriation and other important bills that are now waiting for our consideration, the passage of which is of much more consequence to the interests of the country than the shipping bill. What boots it that the President of the United States and members of his Cabinet are urging the passage of the shipping bill in the face of the fact that a tremendous majority of the people of the country are opposed to it and that there is every reason to believe that if enacted into law it will result in harm rather than good. Our relation to the terrible war now raging in Europe is sufficiently acute at the present time, and we should exercise the greatest possible care not to do anything that could by any possibility lead us into serious trouble with the belligerent nations, which may possibly result if the purposes of the proponents of the bill are carried out.

Mr. President, I have concluded for the present, and I move that the Senate adjourn.

Mr. GRONNA. Mr. President, if the Senator will withhold that motion for just a moment, I desire to give notice that following the morning routine business to-morrow or, if we have

no morning hour, some time during the day on to-morrow, I shall address the Senate on the ship-purchase bill.

#### DISTRICT EXCISE BOARD.

The VICE PRESIDENT. Pending the motion of the Senator from New Hampshire that the Senate adjourn, the Chair announces the appointment of the junior Senator from Kansas [Mr. THOMPSON] on the excise board investigation in the place of the junior Senator from Delaware [Mr. SAULSBURY], who has resigned.

The Senator from New Hampshire moves that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 18, 1915, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 17, 1915.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Jehovah, King of Kings and Lord of Lords, our Father, "who will have all men to be saved and to come unto the knowledge of the truth," open now the portals of our souls to the things which make men wise and strong, pure and brave, good and great, that we may inherit the kingdom prepared for the faithful, now and always after the manner of the Christ, the world's great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### THE LATE REPRESENTATIVE FORREST GOODWIN, OF MAINE.

Mr. PETERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Ordered, That Sunday, February 21, 1915, be set apart for services upon the life, character, and public services of Hon. FORREST GOODWIN, late a Member of this House from Maine.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

#### EXTENSION OF REMARKS.

Mr. KENT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing the caption of a letter referring to petitions of a hundred thousand names signed on behalf of food supplies depots in the United States. I wish to state, Mr. Speaker, I have no idea in the world of publishing those names.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

#### MERCHANT MARINE.

Mr. UNDERWOOD. Mr. Speaker, the gentleman from Missouri [Mr. ALEXANDER] is not well this morning and can not be present. He has asked me to ask unanimous consent for the printing of the bill S. 5259, with House amendments, as the bill passed the House last night.

The SPEAKER. The gentleman from Alabama, at the instance of the gentleman from Missouri [Mr. ALEXANDER], asks unanimous consent for the printing of the bill S. 5259, with House amendments. Is there objection?

Mr. MANN. Reserving the right to object, and I will not object, of course as soon as this bill goes to the Senate it is printed with House amendments. I will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

#### EXTENSION OF REMARKS.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a letter addressed to me on the subject of peace on behalf of the Chester Preparative Meeting of Friends.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record by printing a letter in reference to peace. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

Hon. THOMAS S. BUTLER.

ESTEEMED FRIEND: When the cry of war and rumors of war are filling our land, we feel it to be a fitting season to urge upon the Nation the vital necessity of the universal adoption of peace principles. The advocacy of peace has always been one of the foundation stones of the Society of Friends. We fully believe that in the dissemination of

these principles individuals, as well as nations, can best promote the interests of the country and also maintain a closer adherence to the injunction of the Divine Master to live in brotherhood with all mankind. We therefore ask that thou, as our Representative, will use thy influence against increased armament and for maintaining the neutrality of the Nation in the present crisis.

Thus by the prevalence of Christian love and good will to man our Nation may demonstrate that the government we seek shall be a government whose subjects are free, indeed, redeemed from the captivating lusts whence come war and fighting.

BESSIE C. MARTIN,  
DORA A. GILBERT,

(Signed on behalf of Chester Preparative Meeting of Friends.)

CORRECTING CERTAIN ERRORS IN PRINTING, COMMITTEE ON WAR CLAIMS.

Mr. GREGG. Mr. Speaker, there were two resolutions which passed the House referring claims to the Court of Claims, and there was a mistake in each of them. I have introduced two resolutions to correct the mistake, and I ask unanimous consent that the Committee on War Claims be discharged from the further consideration of those resolutions and they be taken up for immediate consideration. The first is No. 733.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 733.

Whereas by error in printing the report of the House Committee on War Claims upon House resolution 591, Sixty-third Congress, second session, which passed the House February 10, 1915, that resolution purports to refer the claims listed therein to the Court of Claims for a finding of facts and conclusions of law under section 111 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," and the said claims should have been referred to the said court under section 151 of the said act: Therefore be it

Resolved, That House resolution 591, Sixty-third Congress, second session, be corrected and amended so as to refer the claims therein specified, with all the accompanying papers, to the Court of Claims for a finding of facts and conclusions of law under section 151 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand that House resolution 591 has heretofore been passed by the House?

Mr. GREGG. Yes; it referred claims to the Court of Claims under the wrong section of the Judiciary Code, and this is simply to correct that error.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

The SPEAKER. The Clerk will report the next resolution. The Clerk read as follows:

House resolution 734.

Whereas by error in printing the report of the House Committee on War Claims upon House resolution 532, Sixty-third Congress, second session, which passed the House July 17, 1914, that resolution purports to refer the claims listed therein to the Court of Claims for a finding of facts and conclusions of law under section 111 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," and the said claims should have been referred to the said court under section 151 of the said act: Therefore be it

Resolved, That House resolution 532, Sixty-third Congress, second session, be corrected and amended so as to refer the claims therein specified, with all the accompanying papers, to the Court of Claims for a finding of facts and conclusions of law under section 151 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The SPEAKER. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

EXTENSION OF REMARKS.

Mr. SAMUEL W. SMITH. Mr. Speaker, on the 8th of January President Wilson delivered a speech at Indianapolis, and on the 15th Hon. James E. Watson, formerly an honored Member of this House, replied in the same city to that speech. I ask unanimous consent to insert Mr. Watson's speech in the RECORD.

The SPEAKER. The gentleman from Michigan [Mr. SAMUEL W. SMITH] asks unanimous consent to extend his remarks in the RECORD by printing a speech made by Hon. James E. Watson, of Indiana, a former Member of the House, at Indianapolis on January 15, in answer to a speech by the President of the United States made at Indianapolis on the 8th of January.

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. MANN. Mr. Speaker, I hope the gentleman will withhold his objection. We did not object to printing the President's speech.

Mr. FITZGERALD. I do not think that men who enter into general debate with the President should have their speeches printed in the RECORD. I object. I do not think it is fair. Some one who is now a Member of the House ought to reply.

The SPEAKER. The gentleman from New York objects.

PENSION BILLS.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the conference reports on the bills H. R. 19545 and H. R. 20562 and agree to the same.

The SPEAKER. The Clerk will report the first bill.

The Clerk read as follows:

Conference report on the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1407).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, 25, 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, and agree to the same.

ISAAC R. SHERWOOD,  
J. A. M. ADAIR,  
J. N. LANGHAM,

Managers on the part of the House.

BENJ. F. SHIVELY,  
CHARLES F. JOHNSON,

Managers on the part of the Senate.

STATEMENT.

On amendment No. 1: The Senate proposes to increase the amount paid to David Jewell from \$22.50 to \$24. The House concurs because of additional evidence furnished the Senate committee.

On amendment No. 2: The Senate proposes to increase the amount to be paid Samuel S. Van Wye from \$22.50 to \$24 per month. The House concurs because of additional evidence furnished the Senate committee.

On amendment No. 3: The Senate proposes to increase the amount to be paid to Ludlow Walker from \$24 to \$30 per month. The House concurs because of additional evidence furnished the Senate committee.

On amendment No. 4: The Senate proposes to increase the amount to be paid Nathaniel T. Hoover from \$40 to \$50. The House concurs because of additional evidence filed with the Senate committee.

On amendment No. 5: The Senate proposes to increase the amount to be paid to Rufus G. Blanchard from \$40 to \$50 per month. The House concurs because of additional evidence furnished the Senate committee.

Amendment No. 6: The House concurs. Claimant is dead.

On amendment No. 7: The Senate proposes to increase the amount to be paid to John F. Messick from \$22.50 to \$24 per month. The House concurs because of additional evidence furnished the Senate committee.

Amendments Nos. 8 and 9 are changes in phraseology.

Amendment No. 10 is to correct a typographical error.

Amendment No. 11 is to correct an error in printing.

On amendment No. 12: The Senate recedes. The claimant was shown to be totally disabled and helpless.

On amendment No. 13: The Senate recedes. Claimant was the wife of the soldier during his military service.

On amendment No. 14: The House concurs. This was an error in the rate.

On amendment No. 15: The House agrees. Claimant is pensioned by special act and is not helpless.

On amendment No. 16: The House concurs in the recommendation to increase the amount from \$22.50 to \$24, additional evidence having been filed with the committee.

On amendment No. 17: The House concurs, the claimant having a short service.

Amendment No. 18 is a change in phraseology.

Amendment No. 19: Claimant is dead.

Amendment No. 20: House agrees to reduce the amount proposed to be paid to Emma L. Ackley from \$24 to \$20. This is to conform to the rules of both Houses.

Amendment No. 21: The House agrees. Claimant was the soldier's wife for only a short period.



Amendment No. 22 is to correct an error in printing.  
Amendment No. 23: The House concurs in the reduction of the amount from \$24 to \$20 to conform to the rules of both Houses.

Amendment No. 24 is a change in phraseology.  
Amendment No. 25: The Senate recedes. While claimant had short service, he is shown to be totally disabled.

Amendment No. 26: House agrees. Claimant's physical condition does not warrant a higher rate than \$30.

Amendment No. 27: House agrees. Claimant is dead.

Amendment No. 28: House agrees. This is a change in phraseology.

Amendment No. 29: House agrees. Claimant is dead.

Amendments Nos. 30, 31 and 32 are needless changes in phraseology.

Amendment No. 33: Senate recedes. It was shown that the claimant married the soldier in good faith and lived with him as his wife for 23 years, until his death.

The SPEAKER. Is there objection to the present consideration of the conference report? [After a pause.] The Chair hears none.

The question was taken, and the conference report was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Conference report on the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The conference report was read.

The conference report and statement are as follows:

#### CONFERENCE REPORT (NO. 1408).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and agree to the same.

ISAAC R. SHERWOOD,

J. A. M. ADAIR,

J. N. LANGHAM,

*Managers on the part of the House.*

BENJ. F. SHIVELY,

CHARLES F. JOHNSON,

*Managers on the part of the Senate.*

#### STATEMENT.

Amendment No. 1: The House agrees. Soldier served less than two months, and claimant remarried in 1866.

Amendments Nos. 2 and 3 are changes in phraseology.

Amendment No. 4: House agrees. Claimant is dead.

Amendment No. 5: Senate recedes. Although claimant had short service, he is shown to be totally helpless.

Amendment No. 6: House agrees. Claimant had short service.

Amendment No. 7: House agrees. Claimant is dead.

Amendments Nos. 8, 9, and 10 are changes in phraseology.

Amendment No. 11: House agrees. Claimant is dead.

Amendment No. 12: House agrees. Claimant had short service.

Amendment No. 13: House agrees. Claimant is now in receipt of pension of \$12 per month, and facts do not justify an increase.

Amendment No. 14: House agrees. This is a clerical error.

Amendments Nos. 15, 16, 17, and 18 are changes in phraseology.

Amendment No. 19: House agrees. Claimant is dead.

Amendment No. 20: House agrees to reduction to conform to the rules of both committees.

Amendment No. 21: House agrees. Soldier rendered less than two months' service.

Amendments Nos. 22, 23, 24, 25, 26, 27, and 28 are changes in phraseology.

Amendment No. 29: House agrees. Claimant is dead.

Amendment No. 30 is a clerical omission.

Amendment No. 31: House agrees. Claimant is dead.

Amendment No. 32: House agrees to increase because of additional evidence filed with Senate committee.

Amendment No. 33 is a change in phraseology.

Amendment No. 34: House agrees. Child's name is now on roll.

Amendment No. 34 is a change in phraseology.

Amendment No. 36: House agrees. Child's name is now on pension roll.

The SPEAKER. Is there objection to the present consideration of the conference report? [After a pause.] The Chair hears none.

The question was taken, and the conference report was agreed to.

#### ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4146. An act granting certain lands to school district No. 44, Chelan County, Wash.; and

S. 5449. An act to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the bill and joint resolution of the following titles:

H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington; and

H. J. Res. 391. Joint resolution authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 2518. An act granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply; and

S. 5629. An act for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908.

#### CHANGE OF REFERENCE.

On request of Mr. HAYDEN, by unanimous consent, the Committee on Irrigation of Arid Lands was discharged from the further consideration of the bill (H. R. 21377) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes, and the same was referred to the Committee on Public Lands.

#### CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

When the Committee on the Merchant Marine and Fisheries was called.

Mr. BURKE of Wisconsin. Mr. Speaker, I remember—

Mr. FITZGERALD. Mr. Speaker, as the pension appropriation bill was under consideration and it is desirable to pass the appropriation bills as speedily as possible, I ask that the business in order under the rule to-day be dispensed with so that the House may proceed with the pension appropriation bill.

Mr. SAMUEL W. SMITH. Mr. Speaker, I object.

Mr. FITZGERALD. I thought those gentlemen would object to appropriating money for pensions to the old soldiers of the Civil War.

Mr. MANN. We put it over one day for you, and I guess we will put it over another day.

#### REGISTER OF FOREIGN-BUILT VESSELS.

Mr. HARDY. Mr. Speaker, has the Committee on the Merchant Marine and Fisheries been called?

The SPEAKER. Yes; it has been called.

Mr. HARDY. Then I call up the bill S. 2335, as follows:

An act to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salvaged by American citizens and repaired in American shipyards.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That section 4136 of the Revised Statutes of the United States be reenacted and revised to read as follows:

"Sec. 4136. The Secretary of Commerce may issue a register or enrollment for any vessel wrecked on the coasts of the United States or her possessions or adjacent waters, when purchased by a citizen or citizens of the United States and thereupon repaired in a shipyard in the United States or her possessions, if it shall be proved to the satisfaction of the Secretary of Commerce, if he deems it necessary, through a board of three appraisers appointed by him, that the said repairs put upon such vessels are equal to three times the appraised salved value of the vessel: *Provided*, That the expense of the appraisal herein provided for shall be borne by the owner of the vessel: *Provided further*, That if any of the material matters of fact sworn to or represented by the owner, or at his instance, to obtain the register of any vessel are not true, there shall be a forfeiture to the United States of the vessel in respect to which the oath shall have been made, together with tackle, apparel, and furniture thereof."

The SPEAKER. The gentleman from Texas [Mr. HARDY] is recognized for an hour.

Mr. HARDY. Mr. Speaker, this is a bill passed by the Senate and reported by the House Committee on the Merchant Marine and Fisheries, authorizing the American registry of vessels that have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved and purchased by American citizens, and repaired in the shipyards of the United States when the repairs amount to three-fourths of the value of the ship as completed or repaired. That was the law of the United States up to 1906, with this difference, namely, that this bill provides quite a number of safeguards against fraudulent applications for registry that were not in the old law. The old law was repealed in 1906 on the suggestion of the department or Bureau of Navigation, as I take it and as I remember it from the hearings, largely because the department called on to administer the law seemed to object to the difficulty and to the labor of investigating applications made to them under the law. And upon the repeal of that law that labor was transferred to the House of Representatives and the Senate and their various committees, it being thereafter the custom for those who had vessels repaired in the United States to make their applications for registry to Congress, as they were compelled to do. It shouldered off on the committees, particularly the Committee on the Merchant Marine and Fisheries, the labor of making a great many investigations, and it resulted in the fact that sometimes vessels, if there was enough pull and push before committees of Congress and before Congress, would get registered when they had been repaired, and others, despairing under the tiresome effort and tedious delay, proceeded to have partial repairs made in this country and take the vessels abroad and finish the repairs there.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. HARDY. Certainly.

Mr. HUMPHREY of Washington. I want to ask a question about the bill. Does the gentleman prefer that I wait or that I ask it now?

Mr. HARDY. Ask it now.

Mr. HUMPHREY of Washington. I wanted to know whether there was anything in the bill that would prevent the abuse, of which my distinguished friend is well aware, that occurred under the old law. For instance, where a vessel was tied up at the wharf, under a ruling of the former Attorney General they counted the care as repairs, so that the gentleman will probably remember that under that decision they would take any vessel, repair it, and tie it to the wharf long enough until keepers' services and cost of looking after the vessel would bring it within the rule to be registered.

Mr. HARDY. I think if any such practice was permitted or authorized by the rulings of the administrative officers it was outside of the provisions of the old law, but this law provides that the repairs put upon the vessel must be equal to three times the appraised salved value of the vessel. And if there is any possible misconception or misunderstanding about terms, I can not see it. The bill says, further:

*Provided*, That the expense of the appraisal herein provided for shall be borne by the owner of the vessel.

*Provided further*, That if any of the material matters of fact sworn to or represented by the owner—

And this is new, I think, in the law—

or at his instance, to obtain the register of any vessel are not true, there shall be a forfeiture to the United States of the vessel in respect to which the oath shall have been made, together with tackle, apparel, and furniture thereof.

Mr. HUMPHREY of Washington. I know. Where does that differ from the wording of the old law? I do not know whether my friend from Texas ever saw that ruling or not, but I have seen it. It is a ruling of the Attorney General that the cost of looking after the vessel—watchmen's fees, and so forth—are considered a part of the repairs. We all agreed when that matter was before the committee that that was an evil that ought to be

remedied, and I had hoped in this bill there would be some provision that would prevent a recurrence of it.

Mr. HARDY. Is that the question you wish to have answered?

Mr. HUMPHREY of Washington. Yes.

Mr. HARDY. Mr. Speaker, if there was any such ruling made by the department under the old law, it seems to me it was utterly without warrant of law, for the old law said that if it shall be proved to the satisfaction of the Secretary that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired, and so forth.

Mr. HUMPHREY of Washington. There was such a ruling made.

Mr. HARDY. I understand the gentleman is of that recollection. But we add to this law this further statement:

That if any of the material matters of fact sworn to or represented by the owner, or at his instance, to obtain the register of any vessel are not true, there shall be a forfeiture to the United States.

I do not know how to make the language more plain than that. But I want to call the attention of the Members of the House to the fact that the result of the repeal of that law has simply been to transfer to the committees of Congress the labor of investigating, and I expect that there is more opportunity to get vessels in through the violation of law by that haphazard kind of investigation than there is through a fixed law.

In other words, I believe that the law ought to be fixed, and that if a vessel is repaired in the United States and three-fourths of its entire value has been put upon that vessel in the repairs in the shipyards of the United States that vessel ought to be admitted to registry in the United States as a matter of right and by a steady or a uniform law and not by the whims and opportunities of the action of Congress.

In addition to that, I would say that I am informed that at least a number of vessels that have been wrecked on our coast can now be repaired and admitted to our register in a few weeks, and thereby aid in supplying the deficiency in transportation that we have to-day. And, further, I wish to say that I believe it is in the interest of the shipyards themselves that a vessel wrecked on our coast, if repaired in our yards at a cost of three-fourths of its value, should be admitted to registry in the United States, because if that is not done those ships, if possible, will be taken to foreign shipyards, to be repaired there, and the labor of repairing would thereby be lost to our shipyards.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore (Mr. FOSTER). Does the gentleman yield?

Mr. HARDY. Yes.

Mr. TOWNER. I will say to the gentleman that I notice the language used in this bill, "That section 4136 of the Revised Statutes of the United States be reenacted and revised to read as follows," and so forth. Is it intended that this section shall be an entire substitute for the old one?

Mr. HARDY. Yes, sir.

Mr. TOWNER. Then, Mr. Speaker, it seems to me that this is a very slovenly and a very unwise method of doing it. In other words, if we intend to repeal the old statute, we ought to expressly state so.

Mr. HARDY. The old statute is already repealed.

Mr. TOWNER. Then why should we say we reenact it?

Mr. HARDY. Because that is what we want to do.

Mr. TOWNER. The condition is this: That only means this, that if there should be only part of the old statute that is not expressly reenacted in this new one it is not repealed. If it is intended to repeal the existing statute, we ought to say so and reenact a substitute.

This is what I have in mind: It has been many times decided by the Supreme Court of the United States—indeed, they hold the rule perhaps more strongly than any of the States—that you can not repeal a statute by implication. It must be done expressly. It must be either expressly declared that the old statute is repealed or there must be such a necessary repugnance that it will by reason of such repugnance effect a repeal of the repugnant clause of the old statute. But if there should be any clauses of the old statute that are not expressly repealed and are not expressly repugnant to the terms of the new statute, then those clauses of the old statute are in existence still.

I am objecting to this because of the slovenly method by which those statutes that are not intended to be expressly repealed are not so stated, because the gentleman will admit that it will lead us into many embarrassments.

Mr. HARDY. I want to say to the gentleman, Mr. Speaker, that, from a purely literary standpoint, the criticism may be a good one. The wording may be slovenly; but I will say to the gentleman that this bill comes to us from the Senate, and unless



there should be some very valid reason for changing it, and thereby throwing it into conference and causing double delay on the part of both Houses again, I would not like to change it.

And then I want to call the gentleman's attention to another fact. This is not existing law. It is a law that has been repealed heretofore. I am aware that if you say nothing of the repeal of an existing statute and do not directly repeal it, the enactment of another law in partial conflict with it would only repeal that former statute in so far as the conflict existed. The gentleman is correct in the general principles he states, but I do not think there is any question about that. But this being a law once in effect and subsequently directly repealed, and now no longer in existence, the Senate bill provides that it be "reenacted and revised to read as follows."

Now, there can be nothing in the law reenacted except what is reenacted and embraced in the words following the words "as follows," because the old repealed section is so reenacted and so revised as to read "as follows." Now, in effect that seems to me to have a very definite meaning.

Mr. TOWNER. I will say to the gentleman that I do not quite agree with him. If this statute numbered 4136 is not now in existence, if there is not any such statute now on the statute books, then we should not say that we reenact it. We should only go to work and say what we propose to pass now.

Mr. HARDY. I think, as an original proposition, the gentleman is correct. That method would be the better practice.

Mr. TOWNER. Yes; but I want to call my friend's attention to this point: It is not a mere literary objection. It is a substantive objection, because when we say that we reenact a statute and the terms of the reenactment do not agree with the terms of the original statute, then only in so far as the reenacted statute shall be expressly repugnant to the original statute will it necessarily repeal it, and if there are clauses in the old statute that are not in this, and there is no express repealing clause, we are in danger of having a confusion of law, and that is not a mere literary matter.

Mr. HARDY. Mr. Speaker, to obviate that I have the old statute here before me.

Mr. TOWNER. I do not know what the terms of the old statute are.

Mr. HARDY. I will read it to the gentleman, so that he can see that there is no possibility of misunderstanding. The old statute reads "the Secretary of the Treasury." This revision reads "the Secretary of Commerce." Now, the old statute says, "may issue a register or enrollment of any vessel built in a foreign country."

Mr. TOWNER. Yes, if wrecked off the coasts.

Mr. HARDY. Yes; "wrecked on the coasts of the United States." It leaves out the words "built in a foreign country." Then it says, "or her possessions or adjacent waters." "Whenever such vessel shall be wrecked in the United States," and this law adds, "or adjacent waters." Then it goes on, "And shall be purchased or repaired by a citizen of the United States, if it shall be proved to the satisfaction of the Secretary that the repairs put upon such vessel equals three-fourths of the cost of the vessel so repaired," and so forth.

Mr. TOWNER. Let me call my friend's attention to the fact that this is a notable example of the very thing that I am calling attention to.

Mr. HARDY. What section of the old law does the gentleman think is left in force?

Mr. TOWNER. I do not know; but this is evidently not a reenactment of the old law.

Mr. HARDY. It is a reenactment and a revision.

Mr. TOWNER. It is a revision, exactly; but if it is intended as a substitute, why do you say, "The old statute is reenacted"? And if there is anything in the old statute you do not want retained in the new, it will be placed there by this statement that you reenact the old statute. If there is not anything now in existence that is the law, then we should not say that we reenact a repealed or an obsolete or inoperative statute. And if we mean that there is a statute now in existence, and we want to change it and put a new one in place of it, then we should say frankly that we repeal the old statute, and that this is enacted in lieu of it.

Mr. HARDY. Mr. Chairman, I still recognize the literary merit of the gentleman's criticism. But a statute that has been repealed can not be amended until it is reenacted, and the Senate very properly proposed to reenact an old statute then repealed; that is, they reenacted it as revised, so that when reenacted, as revised, it shall read as follows; then follows the law enacted. Now, the more the gentleman discusses it, the more it appears to me that, even as a literary production, the Senate bill is not very wrong. There is a statute that has been repealed. It is to be reenacted, and in reenacting it, it is re-

vised so as to read as follows. What could be clearer? I am sure that no court under the sun would fail to find the meaning of this statute, and to find it perfectly valid.

Mr. MOORE. Will the gentleman give an interpretation of the words used in line 5, page 2—

Appraised salved value of the vessel.

The repairs are to be equal to three times the appraised salved value of the vessel. What does that mean? Does it mean that if a vessel that has been wrecked carelessly or by design is purchased by some one for \$100 the purchase can by the expenditure of \$300 get an American registry?

Mr. HARDY. There is a provision here in line 3—

Through a board of three appraisers appointed by him, that the said repairs put upon such vessels are equal to three times the appraised salved value of the vessel.

Mr. MOORE. I think that differs—

Mr. HARDY. I do not think the old law required that, but simply said three times the value. This is intended to enable the department to have its own board of appraisers pass on it, so that the value of the vessel is to be determined by the board of appraisers of the department, and in that respect it is a great improvement on the old law.

Mr. MOORE. The report of the Commissioner of Navigation for 1905, which is quoted in the minority report of the committee—

Mr. HARDY. You will find the old law in the Senate report.

Mr. MOORE. The report of the Commissioner of Navigation for 1905 contains this statement, that the registry is to issue to such vessel—

If it shall be proved to the satisfaction of the commissioner—

That is, the Commissioner of Navigation—

that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired.

That language is essentially different from the language you use in this bill, and I wanted to know what the distinction was.

Mr. HARDY. The old law was, if it was proved to the satisfaction of the Secretary of the Treasury—

Mr. MOORE. The old law of 1905 required that the Commissioner of Navigation should find that the repairs put upon the vessel were equal to three times its value, but in this bill you say that the repairs put upon such vessel are to be equal to three times the appraised salved value of the vessel. I take that to mean that it gives the department greater latitude than it has heretofore had in the matter of discretion with regard to the issue of the registry.

Mr. HARDY. The only difference is that the former law gave the department authority to issue the registry if the repairs amounted to three-fourths of the value, without any appraisal. This requires it to be three times the appraised value, and provides the officers to make the appraisal.

Mr. MOORE. The appraisal proposition is new.

Mr. HARDY. It is an additional restriction.

Mr. MOORE. That brings us back to the term "appraised salved value of the vessel." I should like to get the meaning of that from the gentleman in charge of the bill.

Mr. HARDY. I can not give it any further than that it says that the Board of Appraisers shall appraise the value.

Mr. MOORE. Is that the law or the bill?

Mr. HARDY. That is the bill. That is an additional safeguard.

Mr. MOORE. Exactly, and because of that I wanted to get the meaning of the words "appraised salved value." Because, if the gentleman will permit me for a moment, a vessel may be run ashore by a captain who designs to wreck the vessel. A foreign vessel having been so run ashore it might incidentally raise the question of insurance upon the cargo. But when it comes to the salving of the vessel, and you state in the bill that the appraised salved value of the vessel shall prevail, the question naturally arises, what is the appraised salved value, because the vessel itself, in the sand or on the rocks, may not be worth a hundred dollars to anybody; but if, by waiting for a tide to carry it off and float it again, the vessel is salved, would the appraised value be determined then?

Mr. HARDY. If the gentleman will permit me, I want to reserve some of my time. I will simply say that I can not understand that language any further than its clear import would seem to me to indicate—that is, when the vessel is wrecked and salved these appraisers are appointed, and they assess the value before any repairs are put upon it. Now, if the ship had three times that salved value put upon it in repairs, it would be entitled to registry under the bill.

Mr. MOORE. I want to be fair to the gentleman and say that the cost of wreckage also enters into the question. If a \$100,000 vessel is purchased by somebody, wrecker or otherwise,



for \$100, and \$300 is spent upon it in repairs, it would probably meet the requirements of this bill, and it is a question whether the bill ought to pass. I call this to the attention of the gentleman because it will be discussed during the debate.

Mr. HARDY. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used 25 minutes.

Mr. HARDY. I will take five minutes more. It seems to me the intense self-interest of the shipbuilders of the country in the repeal of the old law has overreached itself. They are actually so afraid that some timber or piece of material in the hull of a vessel wrecked on our coast may become a part of the vessel under register that they sought the repeal of the law and secured it, and Congress has been bothered from that day to this with applications. Now, here is a plan proposed, where a vessel wrecked on our coast is ready to be repaired in our shipyards, which would furnish work for American labor, they would be unable to take it to a foreign yard to be repaired, but it is repaired here in an American yard, and they do not want it entitled to register, although it is three-quarters built in the United States. It seems to me that the self-interest of these people has pushed itself on the people of the country, to the detriment of the commerce of the country, and that their greed is insatiable.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. HARDY. I can not yield now; I want to reserve the balance of my time.

Mr. GREENE of Massachusetts. Mr. Speaker, I presented minority views on this bill, and I wish to call the attention of the Members of the House to the fact that when this statute was created, on December 23, 1852, it was created for the purpose of securing the admission of foreign-built wrecks to the coastwise trade. The statute was repealed February 22, 1906, and authority was given to the Congress of the United States to act upon all requests made for demands for register. I can see no reason for reenacting this statute. It takes from Congress the power of publicity that is allowed by the law now in existence; the law now provides for inquiring into every case where the vessel applies for a register on account of repairs that have been made. To carry this matter back to the Department of Commerce, as it would be by the reenactment of the statute, would have the effect that American registers could be issued without any public hearing, when at present there is a public hearing and all parties interested have an opportunity to appear and present the facts, which subsequently would be reported to the Congress for conclusive action thereon.

I know that a great many people believe that this repeal of existing law would mean the upbuilding of the American merchant marine. My experience has convinced me that the various wrecking companies in this country will be the chief beneficiaries of this contemplated legislation, and the proposed legislation would be detrimental rather than beneficial to the American merchant marine. These wrecked vessels are sure to be repaired in an American shipyard. It would not pay to take the vessels across the water, and if it did not pay nothing is to be gained, as is suggested by those who favor the reenactment of the repealed statute. Nothing is to be gained by the enactment of Senate bill 2335, because there is no other place except in America where with economy and safety these wrecked vessels would be taken and repaired. Consequently they would be compelled to have these vessels rebuilt in American shipyards.

Every nation protects its coastwise trade. Our forefathers with their great foresight and wisdom established the coastwise trade of the United States in 1787, and wisely decreed that it should be reserved for American-built and American-owned vessels, and with far greater wisdom provided that their officers and crews should be American.

This great bulwark and protection to our coast has justified during the space of 127 years the sacrifices made by the early pioneers and the succeeding generations to maintain this great civilian arm for our defense against the approach of all foreign invaders and against the peace and prosperity of the Nation.

The coastwise trade affords a school of experience for those who desire to follow the sea. We can not hesitate as patriots, as we ought to be, to throw around the coastwise trade in our own country the protecting arm of the Congress in order that we may preserve to coming generations this bulwark of safety created more than a century and a quarter ago.

I should be derelict to my duty if I did not call the attention of Members of the House to the importance of the most careful consideration of the effect which the removal of the power which the Congress now possesses to protect the vessel owner, who has constructed his vessel under the regulations provided

under our existing maritime laws, of American materials in American shipyards by American labor and American wages against the foreign-built vessel.

Mr. LEVY. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. LEVY. Under the present law they have no right, even if two-thirds destroyed, to be admitted to the American register? Mr. GREENE of Massachusetts. Yes; they have a right to be admitted to American registry but not to the coastwise trade. Any old hulk can get admission to the American registry now, but vessels thus admitted are not permitted to enter the coastwise trade, and there is not a single reason why they should be. I assert that the proposed transfer of power is against the best interest of our country and contrary to the spirit of our institutions.

The report of the majority is very limited. It makes no explanation of the effect of this bill, and I wish to call the attention of the House to the fact that on December 14, 1905, when the recommendation was made by the department that this statute should be repealed, it was stated that at the time the statute was enacted, in 1852, there was relatively very little difference in the cost of building wooden sailing vessels in general use here and abroad, and it did not then especially injure but aided American shipbuilding; but that in the time of steel steamers it brings about a very different condition, and only in a very few instances where the damages are relatively inconsiderable could such wrecks be partially repaired in the United States and then sent abroad for completion of repairs. They recommended that this change be made at that time. I also desire to call the attention of the Congress to the fact that the chairman of the Committee on Commerce in the other body wrote a letter to the Department of Commerce asking for the views of that department upon this bill, but the views expressed by the department were not included in the report of the majority and I desire to read them for the information of the House. I call especial attention to the following copy of a letter written to the Hon. JAMES P. CLARKE, chairman of the Committee on Commerce of the United States Senate, dated May 15, 1914, written by Hon. E. F. Sweet, Acting Secretary, who was formerly a Member of this House. That letter is as follows:

DEPARTMENT OF COMMERCE,  
Washington, D. C., May 15, 1914.

SIR: I have received your letter of January 15, inclosing S. 2335, to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salvaged by American citizenship and repaired in American shipyards.

Complying with your request for such suggestions as I may deem proper touching the merits of the bill and the propriety of its passage, I have to say:

Section 4136, Revised Statutes, which this bill proposes to reenact and revise, embodied the provisions of the act of December 23, 1852, which was repealed on February 22, 1906. The report of this department recommending its repeal may be found in Senate Report No. 114, Fifty-ninth Congress, first session.

Foreign vessels wrecked on the coasts of the United States or adjacent waters are usually taken to American shipyards for repair, and the bill, accordingly, will not appreciably increase the opportunities for employment in American shipyards. American registry is usually sought in such cases to secure for the repaired wreck the privilege of engaging in the coasting trade, now limited to vessels built in the United States.

While the department favors measures to upbuild the American merchant marine, it doubts the propriety of trying to attain this end by adding repaired foreign wrecks to our coasting fleet in preference to new vessels built in the United States.

Respectfully,

E. F. SWEET,  
Acting Secretary.

HON. JAMES P. CLARKE,  
Chairman Committee on Commerce,  
United States Senate, Washington, D. C.

Mr. BURKE of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. BURKE of Wisconsin. Does not the gentleman think that the letter that he has read from the Assistant Secretary plainly indicates the reason why they do not want this change made? Does it not indicate to the gentleman that the Acting Secretary does not want this additional work imposed upon his department, and is not that the reason for his opposition?

Mr. GREENE of Massachusetts. Mr. Speaker, I will be glad to reply to that. I do not see any indication of that in a single line or word or thought expressed in the letter. I call attention to the letter of Hon. Victor H. Metcalf, the former Secretary of Commerce and Labor and a former Member of this House, to show that this letter of the Department of Labor under the present administration is in accord with the views expressed by Mr. Metcalf, who was a member of President Roosevelt's Cabinet. The views of the two representatives of the Cabinet



are in accord, and I have expressed that in the report that I have made, as follows:

The views of the Department of Commerce under the present administration seem to be fully in accord with the views of the administration of former President Roosevelt in 1906, and these concurrent views, if carefully taken into consideration, ought to aid the Congress in determining to defeat the proposed legislation.

I can not see any reason at all for this bill excepting that it takes away from the publicity that is provided, as the law now is, of having the matter fully considered by a committee of this House and carefully gone into, and it also provides a chance for proper consideration in the Senate. I can not see any reason for giving the authority back to the Department of Commerce, which does not want it and ought not to have it, and which, under its provisions, could quietly admit these vessels to American registry; and I believe that what is really behind the bill is a desire on the part of some individuals to quietly carry out something that ought to be done openly, which should have full consideration given to it. I do not think this House, after all of the talk of a desire for publicity, should suppress the chance to go fully into the entire question of the construction of a vessel and the means that are used for her repair and rehabilitation.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes; for a question, but not for a speech.

Mr. GORDON. This bill simply authorizes the admission to registry of vessels owned by Americans which have been repaired to three-fourths of their total value in American shipyards.

Mr. GREENE of Massachusetts. It refers to foreign-built vessels which an American may see fit to buy and repair. They might have an American owner when they want to get registry.

Mr. GORDON. Who is being hurt by such a course as that except this coastwise shipping monopoly?

Mr. GREENE of Massachusetts. Suppose it is the coastwise shipping trade. I say that the United States should take care of its coastwise shipping trade as every other nation does of its coastwise shipping trade. I am not one of those who wants to haul down the American flag. I believe in keeping it up and in defending the institutions and rights and privileges of this country against any foreigner, I do not care who he is.

I reserve the remainder of my time.

Mr. HUMPHREY of Washington. Mr. Speaker, I would like to be recognized in my own right.

The SPEAKER. Whenever the gentleman from Massachusetts takes his seat.

Mr. GREENE of Massachusetts. Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman from Washington is recognized for an hour.

Mr. HARDY. Mr. Speaker, I would like to inquire if we can not agree on some length of time for debate. I supposed that an hour on a side would be enough, and that the gentleman from Massachusetts [Mr. GREENE] could control that hour and divide it as he saw fit. I would like to reach some agreement.

Mr. HUMPHREY of Washington. Mr. Speaker, I think we will have no trouble so far as I am concerned if we can reach an agreement on another matter, and I am inclined to think the gentleman will agree to that if he will listen to me now for a moment.

Mr. MOORE rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE. To endeavor to enter into this agreement that is being made between the two gentlemen. Since the gentleman suggests that there be an arrangement as to time, I want to state that I would like to have some time.

Mr. HUMPHREY of Washington. Mr. Speaker, I do not want to enter into any negotiations just now, but I probably shall as soon as the gentleman will answer me a question or two. In the report of the majority it says practically that this bill reinstates the old law as it stood up to 1906, which ought never to have been repealed. The language of the old law was:

The Commissioner of Navigation may issue a register or enrollment for any vessel built in a foreign country whenever such vessel shall be wrecked in the United States and shall be purchased and repaired by a citizen of the United States, if it shall be proved to the satisfaction of the commissioner that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired.

Now, that portion, "that the said repairs put upon such vessel equal to three times the appraised value," is the same. Now, I was a member of the committee at the time that repeal took place, and I remember very distinctly the reason why, and that was this: Under the old law—and I think my distinguished

friend from New York was probably on the committee at the time—the principal reason was that a system of fraud had grown up under the construction the Attorney General applied as to what were repairs. I remember very distinctly that the Attorney General gave an opinion whereby watchmen's fees were counted in as repairs, so that all they had to do was to take one of these old vessels and tie it up at a wharf until the watchmen's fees amounted to sufficient to get a registry. That is one case; and the Attorney General decided under the law that they had a right to do that. Now, in the report, reading from the report made by the then Department of Commerce and Labor, it says:

Since 1856 the Attorneys General of the United States have construed nearly every phase in the ambiguous act just quoted, and in consequence the little words above are far from conveying the precise meaning of the act. Furthermore, it was passed at a time when nearly all the world's shipping was of wood, and the difference in the cost of building in this country and abroad was practically considerable.

Now, that same language has been construed, and they will go right back, and we will have that over again. They not only counted the watchmen's fees, but they would take one of those old wrecks and refurnish it, and that refurnish that went into that vessel was counted as repairs, and thereby they evaded the law. Those are strong reasons why it was repealed, but I am not at all certain, if this law is so amended so as to avoid that particular feature, that it would be better than the special acts we have. I recognize much of the force in what my distinguished friend from Massachusetts said. We get publicity, but at the same time we escape a great deal of annoyance. I would ask the gentleman from Texas whether he would not accept an amendment of some kind that will prevent this very thing that caused the trouble before.

Mr. HARDY. Mr. Speaker, I very seriously object to any amendment, for the reason that would mean the killing of the bill.

Mr. HUMPHREY of Washington. Well, then, Mr. Speaker, if we are going to have that insisted upon, I will make the point of no quorum present. If we are to go back to this old system, that led to fraud and trouble before, we will have to have more Members here to consider it. I reserve the balance of my time.

The SPEAKER. The gentleman from Washington makes the point of no quorum present and reserves the balance of his time. There is no use in trying to count, as evidently there is no quorum here.

Mr. BORLAND. Mr. Speaker, I move a call of the House.

Mr. HARDY. Mr. Speaker, I suggest a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 79.]

Aiken	Elder	Langham	Rothermel
Alexander	Estopinal	Langley	Rucker
Anthony	Faison	Lee, Pa.	Rupley
Avis	Farr	L'Engle	Sabath
Barnhart	Ferris	Lever	Saunders
Bartholdt	Francis	Lewis, Pa.	Sells
Bell, Ga.	Gard	Lindquist	Sherley
Bowdle	George	Loft	Sinnott
Brodbeck	Gillett	Logue	Small
Broussard	Gittins	McClellan	Smith, Md.
Brown, W. Va.	Godwin, N. C.	McGillicuddy	Smith, Saml. W.
Brumbaugh	Goeke	McGuire, Okla.	Sparkman
Bulkley	Goldfogle	Madden	Stanley
Burgess	Good	Maher	Sutherland
Burke, Pa.	Gorman	Martin	Taggart
Burnett	Graham, Ill.	Metz	Talbot, Md.
Cantor	Graham, Pa.	Miller	Taylor, Ala.
Cantrill	Gray	Morgan, La.	Taylor, N. Y.
Carr	Green, Iowa	Morin	Thacher
Carter	Gregg	Moss, Ind.	Thompson, Okla.
Cary	Hamill	Mott	Treadway
Chandler, N. Y.	Hamilton, N. Y.	Mulkey	Tuttle
Church	Hamlin	Neely, W. Va.	Underhill
Clancy	Hart	Nolan, J. I.	Vare
Clark, Fla.	Hayden	O'Brien	Vollmer
Connolly, Iowa	Helgesen	Oglesby	Walker
Copley	Hensley	O'Shaunessy	Wallin
Cramton	Hobson	Padgett	Webb
Crosser	Hoxworth	Patten, N. Y.	Whaley
Dale	Hughes, W. Va.	Peterson	Whitacre
Danforth	Hulings	Porter	White
Davis	Johnson, S. C.	Post	Wilson, Fla.
Decker	Jones	Price	Wilson, N. Y.
Deitrick	Kahn	Prouty	Wingo
Dershem	Keister	Rauch	Winslow
Donovan	Kelly, Pa.	Reed	Witherspoon
Dooling	Kennedy, Conn.	Reilly, Conn.	Woodruff
Dunn	Kitchin	Riordan	Woods
Eagle	Korbly	Roberts, Mass.	
Edmonds	Kreider	Roberts, Nev.	

The SPEAKER. On this call 265 Members—a quorum—responded to their names.

Mr. HARDY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

Mr. BURKE of Wisconsin. Mr. Speaker—

Mr. HUMPHREY of Washington. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. HUMPHREY of Washington. I desire to continue my remarks. I had the floor when I made the point of no quorum and I ask for recognition.

The SPEAKER. The gentleman reserved the rest of his time. Does he wish to use it now?

Mr. HUMPHREY of Washington. Yes; I wish to use a part of it now.

Mr. HARDY. Mr. Speaker, the gentleman, as I understand it, lost the floor when he reserved the remainder of his time.

The SPEAKER. The gentleman did not lose it. He had the right to the rest of his hour.

Mr. HARDY. Mr. Speaker, I believe I have a right to the rest of my hour.

The SPEAKER. Of course, the gentleman has.

Mr. HARDY. Then I ask for recognition for the rest of my time.

The SPEAKER. The Chair knows; but the gentleman from Washington asked for recognition before the gentleman from Texas did. The Chair recognizes the gentleman from Washington.

Mr. HARDY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDY. My understanding was that when the gentleman rose he had an hour.

The SPEAKER. He did.

Mr. HARDY. If he sat down, reserving the balance of his time, he then for that time lost the floor?

The SPEAKER. He lost it as long as he was sitting down. The gentleman from Washington stands precisely on the footing of the other gentleman, who got an hour and reserved his time.

Mr. HARDY. Now, then, the question I wanted to ask was, having reserved his time, if somebody else rises and is recognized by the Chair, can he take it?

The SPEAKER. The Chair recognized the gentleman from Washington [Mr. HUMPHREY].

Mr. HARDY. Before the gentleman from Wisconsin? I thought the Chair had recognized the gentleman from Wisconsin [Mr. BURKE].

The SPEAKER. The Chair thinks the gentleman is mistaken about it. Of course, we are all sort of woolgathering this morning and can not remember very well [laughter], but the recollection of the Chair is that he recognized the gentleman from Washington.

Mr. HARDY. I do not want to raise any question about it, but I think the notes will show that the gentleman from Wisconsin [Mr. BURKE] was recognized first.

The SPEAKER. The Chair will recognize the gentleman from Wisconsin as soon as the gentleman from Washington concludes his remarks.

#### ATTENDANCE OF MEMBERS.

The SPEAKER. The Chair wishes to make one statement to the House. The session is rushing to a close and business is crowding, and when the bell rings for a call of the House Members ought to come over here. Now, day after day this overflow of Members down in front of the Speaker's desk after the regular calling of the roll practically amounts to a third roll call. Therefore the Chair hopes that the gentlemen will get over here promptly.

#### REGISTER OF FOREIGN-BUILT VESSELS.

Mr. HUMPHREY of Washington. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, a few moments ago a point of no quorum was made in the House. There were not many Members on the floor. The roll call was ordered and a quorum appeared. Yesterday there was distributed throughout the House on the Democratic side a card which I think ought to go in the RECORD in connection with the lack of a quorum this morning. It reads as follows:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., February 16, 1915.

DEAR CONGRESSMAN: Speaker CLARK requests me to say to you that he expects every Democrat to be in constant attendance upon the floor of the House every day until the end of the present session of Congress.

This is very important in order to maintain a quorum at all times, and the individual responsibility rests upon each Member. If the Members do not want an extra session, their duty is plain.

THOS. M. BELL, *Democratic Whip.*

Attest:

JOHN N. GARNER,  
J. A. M. ADAIR,  
*Assistant Whips.*

I do not know why they put in "Attest."

Mr. GORDON. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GORDON. Was it because of that notice that the gentleman from Illinois [Mr. MANN] was not present when a point of no quorum was made?

Mr. MANN. No; it was not because of that. That note was not addressed to me. It was probably because of not receiving the notice the gentleman from Ohio [Mr. GORDON] was absent.

Mr. GORDON. I was here.

Mr. MANN. You happened to be here once. But I was not addressing my remarks to the gentleman from Ohio. There are not 70 Members on the Democratic side right now, although there are 290, or near that, of Democratic Members of the House. A pathetic appeal from our beloved Speaker to the Democrats yesterday is forgotten to-day. I want to put the appeal in the RECORD, so that you can read it every morning.

Mr. MURRAY. Mr. Speaker—

Mr. MANN. Why, is the gentleman from Oklahoma [Mr. MURRAY] in the Hall? I congratulate him on being present at this time.

Mr. MURRAY. I wanted to suggest that what was the matter with the Members this morning was that they all came in a little bit seasick, and when they arrived here they found the gentleman from Texas [Mr. HARDY] talking about a shipwreck bill.

Mr. MANN. I do not wonder it makes the Democrats sick to talk about any kind of a ship bill.

Mr. MURRAY. Does not the gentleman think he ought to make some allowance for this side of the House in view of the fact that the Members have been up two nights and his side has been up only one?

Mr. MANN. I have been up five nights as late as the gentleman has. I hope you will keep a quorum in the House and pay attention to the request of the Speaker.

Mr. GORDON. Will you not help us?

Mr. MANN. I am always here.

Mr. GORDON. Well, keep your colleagues here.

The SPEAKER. The time of the gentleman from Illinois [Mr. MANN] has expired. The gentleman from Washington [Mr. HUMPHREY] is recognized.

Mr. HUMPHREY of Washington. Mr. Speaker, I was very much in hopes that we might agree upon an amendment to this bill, because if we could and remove the chance for fraud that was practiced under the old law we would not have any trouble. And while I am not saying this as representing that any agreement was made, I do believe that if the chairman of the committee, Judge ALEXANDER, were here we could reach an agreement in two minutes. Now, the proposition to which I was addressing myself awhile ago was this, that under the old law admitting these ships to American registry, when they were repaired to the amount of three-fourths of their value, a great many frauds were practiced. And the law was largely repealed because of the fact of these frauds rather than the principle involved in this bill; and it was my understanding, in talking with the distinguished chairman of the Committee on the Merchant Marine and Fisheries, that there would be no objection to amending the bill—that he was anxious to do it, so as to avoid this trouble. Under the old law, and the new law reads exactly the same on that point, I remember one instance, as I cited awhile ago, where watchmen's fees were made a part of the repairs, and where a vessel was refurnished they called the furniture repairs. Now, I do not believe that my friend from Texas wants that kind of a law again written on the statute books. And this law, as it is stated here by the Secretary of Commerce, has been frequently construed. They will go right back again to these old constructions and we will have this same difficulty that we have had before.

Now, I do not think that is a very strong argument that was made by my friend who is in charge of the bill that such amendment will prevent the passage of this bill. I do not think it would. You could reach some agreement with the Senate about it in a few minutes; and I am sure, so far as I am personally concerned, that if you will agree on some amendment of that kind, there will be no attempt made to prevent its passage not only now but when it comes back from the Senate. I am perfectly willing that my friend [Mr. HARDY] shall draw the



amendment. I do not care in what particular shape he puts it so long as it will cover this loophole that gave us so much trouble before.

Mr. GOULDEN. Mr. Speaker, will the gentleman yield again?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from New York?

Mr. HUMPHREY of Washington. I do.

Mr. GOULDEN. The gentleman knows, of course, that he and I served on the Committee on the Merchant Marine for a number of years together—I suppose for the benefit of the country—

Mr. HUMPHREY of Washington. No doubt—

Mr. GOULDEN. And we voted for the repeal of the bill, section 4136; and its repeal was made possible because the Secretary of the Treasury and the Commissioner of Navigation were anxious to get rid of responsibilities. But does not the gentleman know that the inspection service that we have to-day is much more rigid and efficient than it was in the old days, when we hardly knew what inspection service meant in the various ports of the country?

Mr. HUMPHREY of Washington. I think that is true; and I think they would not get through as easily perhaps as they did before. But I ask my friend from New York if he does not remember the time this was considered—if he does not remember that decision of the Attorney General, to the effect that the watchman's fees were to be included as a part of the repair cost?

Mr. GOULDEN. I know; but the watchman's fees do not amount to very much. Twenty-five dollars a month is what a watchman receives on board a ship in addition to his board. It would not be a factor in estimating the cost of repairing the ship. As to the furniture, I think the gentleman will admit that that would be a part of what was destroyed when the ship was wrecked. The furniture is a part of the vessel. The gentleman knows that the furniture does not amount to much, and that this furniture, which was replaced on account of its having been destroyed when the vessel was wrecked, might be considered a proper charge.

Mr. HUMPHREY of Washington. If it is anything in relation to the machinery, anything that is necessary to run the vessel, I think that is proper; but even if they wanted to put in the furniture, we ought to make some statement in this bill, some provision, so that it can be understood what repairs may be considered. I recognize, as an attorney, the danger of attempting to be specific, knowing that when you specify certain things you exclude everything else, and that is to be avoided generally. But I do not believe there is any difficulty in this particular case in covering that point, and while watchman's fees amount to very little, as the gentleman has stated, yet the care of the vessel itself amounts to a great deal. You take a vessel and tie it up, and the general cost in taking care of that vessel is enough to enable them soon to come under the terms of this law.

Now this is a proposition to admit these vessels into the coastwise trade. If it were in the foreign trade, I would have no objection to it; none whatever. But if you admit one of these vessels into the coastwise trade, it takes the place of a new vessel that otherwise must be constructed in this country. Every time you put one of these old wrecks into the coastwise trade you not only put it in competition with American vessels that have been constructed in American yards by high-priced American labor, but at the same time it takes the place of a vessel that would necessarily be constructed in one of our yards.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. GORDON. What is the gentleman's objection to having a little competition in this coastwise trade?

Mr. HUMPHREY of Washington. I have no objection to competition in the coastwise trade.

Mr. GORDON. Then why does the gentleman object to allowing this?

Mr. HUMPHREY of Washington. I do object always, both in the coastwise trade or anywhere else, to the products of foreign cheap labor competing with American labor. [Applause on the Republican side.] I object always to any product produced in another country coming here and competing with the product that is produced by American labor. And that is what I object to here, because if you take one of these vessels that is constructed in one of these foreign shipyards with foreign cheap labor, you not only put it in competition—although that is not the main idea, because if that were all the competition with this vessel is not any greater than with a new one that would be built in our yards—but the proposition is also to prevent a new vessel from being constructed. That is what I object to. If you amend this law by providing that you can not get registry by fraud, I shall not have the objection to the

bill I now have, although I think it is bad legislation in principle.

Mr. BORLAND. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from Missouri?

Mr. HUMPHREY of Washington. Yes.

Mr. BORLAND. Away back in 1879 James G. Blaine, a distinguished Republican, made a speech to the chamber of commerce in New York—

Mr. HUMPHREY of Washington. Is my friend going to repeat the speech that he made? [Laughter.]

Mr. BORLAND. No; I am going to ask the gentleman's views about it. He said that only 23 per cent of American commerce was carried in American bottoms, whereas to-day, after the Republican Party, to which Blaine belonged and to which the gentleman from Washington belongs, has been in power most of the time, I may state that only 8 per cent of American commerce is now carried in American bottoms. And yet the gentleman speaks of new ships being built. When, may I ask, was a new ship built under the policy of the gentleman's party? No new ships have been built, but on the contrary the American merchant marine has gone down steadily under the policy of the gentleman's party, and the gentleman had better own up to it.

Mr. HUMPHREY of Washington. Well, the gentleman from Washington never denied it, to start with. And that is where he differs sometimes from his friend from Missouri.

Mr. BORLAND. You ought not to deny it.

Mr. HUMPHREY of Washington. I will tell the gentleman, if he wants to know about the shipping bill that has been referred to many times by Republicans. I have stated on the floor of the House many times that my party was not doing what it should do in regard to our merchant marine, but I will tell you what we did do. We did pass a merchant marine bill; we passed it through this House in 1907, and when it went over to the Senate it was filibustered to death by Democratic Senators.

Mr. HARDY. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from Texas?

Mr. HUMPHREY of Washington. Yes.

Mr. HARDY. That bill was passed through the House after it had been defeated by a narrow margin, and then, when a lot of Members went home, it was called up on a motion to reconsider and passed the House.

Mr. HUMPHREY of Washington. Oh, well, the gentleman from Texas ought not to complain of that after the performance that took place yesterday. He ought not to complain about rushing things through the House.

Mr. HARDY. That was done right at the end of the Congress.

Mr. HUMPHREY of Washington. The gentleman does not fully state the facts. The fact was that when the bill went to the Senate a majority was waiting there ready and anxious to pass it, and two Democratic Senators, the late lamented Mr. Carmack, of Tennessee, taking the lead, filibustered against it to the end of the session and caused its defeat.

Mr. HARDY. Now, if the gentleman will yield for just another suggestion. I happened to be here—not yet a Member, but a Member elect—when that measure was brought up in the House in the closing days of the session. It was defeated, and a number of Members, thinking the bill was ended, went home. It was then called up on reconsideration and passed the House by a very narrow margin.

Mr. HUMPHREY of Washington. Anyway it passed the House without the assistance of the Democrats.

Mr. HARDY. Under the circumstances which I have stated.

Mr. MANN. I think the impression given by the gentleman from Texas is entirely erroneous. I was one of the Republicans who voted against that bill both times. There was no advantage taken of the fact that Members were absent and had gone home. That was not the question at all. I think there were just as many or more who voted on the last roll call as on the first.

Mr. HARDY. I do not know whether there was any intention to take that kind of an advantage or not.

Mr. MANN. There certainly was not. I was opposed to the bill.

Mr. HARDY. But the gentleman who preceded me in Congress from my district was one of those who thinking that the struggle was ended, got his baggage and went home. Then after that the vote was taken.

Mr. MANN. I think there were more on the second roll call than on the first. Of course he ought to have remained here, but there was no advantage taken at all.

Mr. HARDY. I have no doubt the friends of the subsidy brought all the Members that they could get here.



Mr. MANN. The other side brought all they could get on their side.

Mr. HARDY. And yet some of them went home.

Mr. MANN. You can not keep the Democrats here all the time. They will go home after they have got their money. [Laughter.]

Mr. HARDY. You can not keep the Republicans here all the time.

Mr. CLARK of Missouri. Will the gentleman yield to me about two minutes to state the facts about that?

Mr. HUMPHREY of Washington. Certainly; I will yield to the Speaker, even if he is going to roast me.

Mr. CLARK of Missouri. No; I am not going to roast anybody.

Mr. HUMPHREY of Washington. I am glad to yield.

Mr. CLARK of Missouri. I want to state correctly the facts about that transaction, because I took part in it. The gentleman from Texas [Mr. HARDY] is substantially correct. We beat that ship-subsidy bill that time by 1 majority.

Mr. CLINE. Two majority.

Mr. CLARK of Missouri. By 2 majority when the roll was called. It was on the 2d day of March, rather late in the afternoon; and four Democrats, thinking the thing was ended, and being in a great hurry to get home, left the Hall. Then some gentleman moved to reconsider that vote, which he had a perfect right to do, and we did everything that we could to find those four Democrats. We had the boys chasing around here after them, we telegraphed down to the depot, and we called them upon the telephone, but we never could get them back here. One of them was at the depot when they found him, and he said he had bought his ticket and his train was about to start and he was going home.

I immediately sat down and wrote a note to Senator Carmack, telling him that we had lost out by 1 vote on that bill over here, that his term would expire at noon on the 4th of March, and that if he would kill that ship-subsidy bill by talking it to death he would win more fame in the last two days of his service than he had made in the other six years. And not co-operating, but just in a sympathetic state of mind, I suppose, Mr. JOHN SHARP WILLIAMS, now a Senator, went over and saw Senator Carmack and told him his time had come, and he acted on the suggestion that both of us made. I am not certain but that he would have thought of it himself, but he proceeded to talk the bill to death. That is the history of it. Nobody was to blame. I do not criticize the man who made the motion to reconsider. The four Democrats who went home perhaps did not know about the rules, and supposed the matter was settled.

Mr. MANN. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Yes.

Mr. MANN. I take it that the gentleman believes Senator Carmack did a good thing when he talked that bill to death.

Mr. CLARK of Missouri. I undoubtedly do think so.

Mr. MANN. The gentleman approves of the policy of talking things to death in the Senate at times?

Mr. CLARK of Missouri. Of course I approve it if they have a good cause. And while I am at it I will volunteer the opinion that they are not going to have any cloture rule over there soon.

Mr. HUMPHREY of Washington. Does the gentleman desire any more time?

Mr. CLARK of Missouri. No; I am obliged to my friend for this.

Mr. GOULDEN. I should like to make the statement that in addition to Senator Carmack, Senator NEWLANDS, of Nevada, was his first lieutenant and perhaps did an equal share of the good work. It was my pleasure at that time to have charge of the minority side of the bill, in the absence of Mr. Spight, of Mississippi, who was ill. Those were interesting times.

Mr. CLARK of Missouri. Senator Carmack started on this scheme of filibustering: He took Webster's Unabridged Dictionary and started in with the first word in it, to talk philology. A man could keep that up, I suppose, for seventeen hundred years.

Mr. GOULDEN. Will my friend from Washington yield me just a moment or two?

Mr. HUMPHREY of Washington. Yes.

Mr. GOULDEN. The gentleman knows how the bill was brought out of the committee. I am not going to give away any committee secrets, old that they are, but the gentleman knows it was brought out of the committee in a manner that he himself scarcely approved. A new Member was brought in from the State of New York, and he was sharper and perhaps understood political diplomacy better, and was perhaps less careful about what he did than the older members of the committee, including my friend from Massachusetts [Mr. GREENE] and my friend from Washington [Mr. HUMPHREY], who are the only

members of that committee at that time whom I notice on the floor. But, at least, this gentleman from New York had the ship-subsidy bill voted out. A Republican member of the committee unfavorable to subsidy was induced to vote in favor of reporting the bill, although he gave notice that he would speak and vote against it on the floor of the House, which he did, and helped to defeat the measure in the end.

Mr. HUMPHREY of Washington. I hope gentlemen on that side will be as liberal with me when I want to ask them questions as I have been with them. I am very glad to have yielded to the Speaker, to get this confession and explanation from him, and to have his stamp of approval upon filibustering when it is done for a good purpose. Of course, it is always in the judgment of the man who is doing the filibustering whether or not it is for a good purpose. And I might add that while the distinguished Senator from Tennessee, Mr. Carmack, may have won some fame, I think there are some Senators who are winning fame just now by their filibustering. [Applause on the Republican side.] They are fighting to keep this country from entering not only upon the path of socialism, not only to save us millions of dollars, but to keep this country in the way of peace and to keep us from entering the shadow of war for the sake of making a few dollars.

Mr. BRYAN. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. BRYAN. Does not the gentleman think the country would save money if they used the phonograph method instead of having these all-night speeches made by high-priced Senators?

Mr. HUMPHREY of Washington. They might. They might save money by using a rubber stamp and save the trouble of debating at all. We knew as soon as the order was received what the result would be; and I notice with profound regret that my distinguished colleague from Washington got over on the Democratic side and sat around there yesterday, and I wondered whether he was one of the lame ducks that might be seeking some assistance. [Laughter.]

Mr. BRYAN. I will suggest, further, that the gentleman might notice that my vote on the ship proposition was in contrast to that of my distinguished colleague, which, of course, is a matter of great satisfaction to me, and I hope it will be to the people of my district. [Laughter.]

Mr. FALCONER. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. FALCONER. We have had a very entertaining time between my two colleagues from Seattle. The first part of the session there was a continual quarrel between them, but it so happened about a week ago they were found in the same bed. I recall that a week ago to-night, when the two gentlemen were here and there were some bills on the calendar of interest to them, that first my colleague, Mr. HUMPHREY, said he wished the Record to show that he and his colleague, Mr. BRYAN, were here at a late hour looking after the business of the people of the State of Washington; and then, to return the compliment, the gentleman from Washington, Mr. BRYAN, said he hoped that the Record would show that he and the gentleman from Washington, Mr. HUMPHREY, were here looking after the business of the people of Washington—each paying a compliment to the other; and my friend Mr. JOHNSON of Washington and myself were being advertised somewhat.

Mr. HUMPHREY of Washington. Advertised as not being here.

Mr. FALCONER. If they had arisen an hour or two before, there would have been other Members from the State of Washington present when bills in which they were interested were up. It is an encouraging thing to see these men get together once in a while.

Mr. HUMPHREY of Washington. I am sorry that my other distinguished colleague seems to be somewhat envious of the fact that we took occasion to advertise each other. If he had been here, I would have been glad to put his name in, too, but he was not here; and, by the way, I notice by the roll call that he was not here last night.

Mr. FALCONER. If the gentleman will allow me, it became evident that it would be morning before a vote could be taken, and I did not stay here. But I was as effective as the gentleman who stayed here until 1.25 in the morning. The fact that I did not vote for or against the bill—and I would have voted for it had I been here—was not of much importance, because the result of the vote was known yesterday morning. It was certain of passage and everyone knew it.

Mr. HUMPHREY of Washington. After extending this courtesy to the gentleman to square himself with his constituency, notwithstanding our difference in politics, I hope that he will hereafter give me his assistance and support. [Laughter.]

Mr. BRYAN. Will the gentleman kindly let us know what he is going to run for next time, and we will know whether we



can give him our support or not. Of course the gentleman did not ask me.

Mr. HUMPHREY of Washington. Unfortunate'y, I have not been in the habit of consulting my colleagues as to what I will run for.

Mr. MADDEN. It seems to me that the State of Washington is getting too conspicuous on the floor of the House.

Mr. JOHNSON of Washington. That is what I wanted to ask the gentleman, if he did not think that in this Congress the membership from the State of Washington had taken more than its share of the time in airing its troubles.

Mr. HUMPHREY of Washington. If that is the gentleman's view of it he ought not to have added to the hilarity of the occasion. [Laughter.]

Mr. TAGGART. Will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. TAGGART. Is not there something wrong with the Directory of Congress as to the State of Washington? I had an impression until recently that you gentlemen all belonged to one party.

Mr. HUMPHREY of Washington. That is an impression that nobody in the State of Washington ever had. [Laughter.]

Mr. Speaker, I will now get back to talk about the bill, if my colleagues have occupied as much time as they wish. This bill is another step in regard to the upbuilding of the merchant marine along the line advocated by my Democratic friends. It is a proposition, of course, to admit foreign-built ships to the coastwise trade.

Mr. HARDY. Will the gentleman yield for an outside matter not connected with the bill?

Mr. HUMPHREY of Washington. I will.

#### LEAVE OF ABSENCE.

Mr. HARDY. Mr. Speaker, I want to ask that Judge ALEXANDER be excused for the day on account of sickness. He is sick, and has asked me to prefer that request.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Missouri, Mr. ALEXANDER, be excused for the day on account of sickness. Is there objection?

There was no objection.

#### REGISTER OF FOREIGN-BUILT SHIPS.

Mr. HUMPHREY of Washington. Mr. Speaker, my good friend from Ohio, Mr. GORDON, refers back to the matter of which we heard so much yesterday, namely, the Shipping Trust. Of course, there was a great deal of talk yesterday on each side of the aisle in regard to a shipping trust. As a matter of fact, most of it was talk merely for the gallery. The Shipping Trust, so far as one has ever existed, has been formed of foreign ships, and it seems to me that you gentlemen on that side of the aisle are estopped from accusing anyone of being a friend of the Shipping Trust in view of the action recently taken by your party. One gentleman after another yesterday accused me of representing the Shipping Trust. I do not care how much they accuse me of that, as it does not make any difference to me. As a matter of fact, as all of the older Members of this House know, I stood upon the floor of this House time after time denouncing the Shipping Trust and trying to get it investigated long before any gentleman on that side ever had a word to say about it. I was the one who first introduced the resolution; I was the one who urged this investigation. But the other day you passed a law permitting foreign-built ships to American registry, and the United Fruit Co. and the United States Steel Co. and the Standard Oil Co. were the ones that took advantage of it, and it is known of all men that at the request of those great combinations and trusts the President of the United States issued an order that they might keep foreign officers upon them. While you were doing that and while your President was issuing that order I was sending in protests that are now on file in the White House protesting against that procedure. If I am a friend of the Shipping Trust, in what attitude is the President of the United States? No one ever heard me utter a word in defense of the foreign shipping combine. I introduced a bill and it passed this House, but died in the Senate, not by the action of a Democrat, but by the action of a Republican Senator, let it be said in order that the truth may be known, that would have successfully reached these trusts. It provided that any vessel that was found to be in one of these combinations could be excluded from our ports, the only effective remedy, so far as I know, that has ever been proposed in Congress, and the one that caused more disturbance and uneasiness among these foreign trusts than anything else.

Mr. Speaker, I had hoped that my friend from Texas [Mr. HARDY] might agree to some amendment, but as he will not, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Washington makes the point of order that there is no quorum present. Evidently there is not.

Mr. HARDY. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 80.]

Alexander	French	L'Engle	Roberts, Mass.
Anthony	Gard	Leshner	Roberts, Nev.
Avis	George	Lever	Rucker
Barkley	Gerry	Lewis, Md.	Sabath
Barnhart	Gillett	Lewis, Pa.	Saunders
Bartlett	Gittins	Lindquist	Sells
Bowdle	Goeke	Lobeck	Sherley
Brodbeck	Goldfogle	Loft	Slayden
Brown, W. Va.	Gorman	Logue	Slemp
Brumbaugh	Graham, Ill.	McClellan	Smith, Md.
Burgess	Graham, Pa.	McGillcuddy	Smith, Saml. W.
Burke, Pa.	Greene, Vt.	McGuire, Okla.	Smith, Minn.
Burnett	Hamill	Maher	Smith, Tex.
Cantor	Hamilton, N. Y.	Martin	Sparkman
Cantrill	Hamlin	Metz	Stanley
Carr	Harris	Miller	Stevens, Minn.
Carter	Hart	Morgan, La.	Stevens, N. H.
Cary	Hayden	Moran	Talbott, Md.
Chandler, N. Y.	Hayes	Mott	Taylor, Ala.
Church	Hensley	Mulkey	Taylor, N. Y.
Clancy	Hinebaugh	Murdock	Thacher
Clark, Fla.	Hobson	Neeley, Kans.	Treadway
Connolly, Iowa	Holland	Neely, W. Va.	Tribble
Copley	Howard	Nolan, J. I.	Tuttle
Crisp	Hoxworth	O'Brien	Underhill
Crosser	Hughes, W. Va.	Oglesby	Vare
Dale	Kahn	O'Shaunessy	Vollmer
Danforth	Keating	Padgett	Walker
Deitrick	Kennedy, Conn.	Palmer	Wallin
Dershem	Kent	Patten, N. Y.	Whaley
Dooling	Key, Ohio	Peterson	Whitacre
Dunn	Kiess, Pa.	Platt	Wilson, Fla.
Edmonds	Kitchin	Porter	Wilson, N. Y.
Elder	Knowland, J. R.	Price	Winslow
Estopinal	Korbly	Ragsdale	Woodruff
Faison	Kreider	Rauch	
Ferris	Langham	Reed	
Floyd, Ark.	Lee, Ga.	Riordan	

The SPEAKER. On this call 275 Members have answered to their names—a quorum.

Mr. BURKE of Wisconsin. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. BURKE of Wisconsin. Mr. Speaker, I desire to address the House briefly in reference to the pending bill.

Mr. GOULDEN. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Wisconsin. I yield.

Mr. GOULDEN. Mr. Speaker, it was my privilege to serve on the Committee on the Merchant Marine and Fisheries, beginning with the Fifty-eighth Congress, for eight years. Among my earlier efforts in this House I introduced a bill to give American charters to two different steamers, the *Marie* and the *Success*, of New York, and after three years of untiring work I succeeded in having the act passed. The estimated salving value of the vessels was about \$20,000 each, and yet there was expended on them \$96,000 in one case in an American shipyard and \$82,000 on the other; in other words, nearly five times as much as the salving value of the vessels. Those two vessels had a tonnage, in round figures, of 12,000 tons. In 63 years, according to the report of the Commissioner of Navigation, we have succeeded in having steamers that have been wrecked admitted to the extent of only 52,836 tons, out of which must be deducted 12,000 tons, representing the steamers that I have just referred to. In 1906 I voted to repeal this enactment. It was a mistake. With my years of experience since then I would not do it again. Therefore I am in favor of the passage of the bill now before us. At that time the Inspection Service was loose, and the Commissioner of Navigation and the Secretary of Commerce and Labor were anxious to unload the burden and get rid of its responsibilities, and hence under the pressure from these two departments as well as the desire to help them out we voted to repeal the bill. I want to admit publicly now that it was one of the mistakes that I made in my 10 years of service here, and therefore I hope that this bill will be enacted into law and will receive the approval of this House. It is in the interest of good administration and will tend to add to the merchant marine so badly needed in this Nation of ours.

Mr. BURKE of Wisconsin. Mr. Speaker, I thank the gentleman, and I hope the membership will take advantage of the experience of the gentleman from New York [Mr. GOULDEN].

I desire to say to the Democratic membership here that, in view of the partisan and Shipping Trust opposition which this



bill has met, I desire them to stay until the conclusion of my remarks, which will be very brief, and we will endeavor to do business. When a similar bill to this passed the Senate in the Sixty-second Congress, and it came to this House, it was referred to the Committee on the Merchant Marine and Fisheries. At that time it was given extensive hearings. Representatives of those engaged in the wrecking business, labor representatives, and some other representatives in the building and construction of vessels appeared before our committee. We heard the evidence in full and investigated it carefully at that time and made a report to this House recommending its passage. It failed of passage, however, in that Congress, due to the fact that it was not reached in its turn upon the calendar. Now, this bill comes from the Senate under similar circumstances. The committee that had it under consideration in the Senate made a very full and complete report, and that is one of the reasons why the House report on this bill is so brief. I hold in my hand a copy of the Senate committee report, which had the same under consideration, and it contains some information which I think may be of interest and profit to the membership here in voting upon this question. It appears that the law we propose to place upon the statute books by this bill has heretofore been upon the statute books of the United States for over 54 years. It was first adopted December 23, 1852, and in this language, which is practically the same as contained in the pending bill:

SEC. 4136. The Secretary of the Treasury may issue a register or enrollment for any vessel built in a foreign country, whenever such vessel shall be wrecked in the United States and shall be purchased and repaired by a citizen of the United States, if it shall be proved to the satisfaction of the Secretary that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel so repaired.

This is the identical language contained in the present bill, and the present bill, in addition, contains some provision for guarding against the securing of registration by fraudulent means. This remained the law until 1906, when Congress passed an act repealing the same. At that time, in 1906, when the repeal bill was before Congress, Mr. Metcalf, at the request of some one, sent to the committee a letter which Mr. GREENE read to us a short time ago. The Senate report says in connection with the letter—the letter is set forth in full in the Senate report:

The burden of the objection to section 4136—

That is the old law—

made by the Commissioner of Navigation, above referred to, was that his bureau had a limited clerical force incapable of giving the proper investigation to the important subject involved, and that the committees of Congress could examine more thoroughly into each case as it presented itself. There can be no doubt that the Congress at the time of the repeal of the above section (Apr. 11, 1906) did not intend a departure from the thoroughly established policy of the Government and our people to admit ships which are three-fourths American to registry and enrollment (and which had worked well for 54 years, as shown by the record of the tonnage admitted) but only to change the tribunal from Commissioner of Navigation to the Congress itself. This is clearly shown by the debates in the Fifty-ninth Congress, first session (see CONGRESSIONAL RECORD, pp. 2610-2615, inclusive), some portions of which are hereto appended.

And I want to call attention to the fact that the report met considerable opposition here as shown by the debate, a few sentences of which I will take the privilege of reading at this time.

Mr. UNDERWOOD. Do I understand that if we pass this bill, for a wrecked ship to get American registry it has to come to Congress? I do not understand that it does now. I understand that the Department of Commerce and Labor, if three-fourths of the ship is new and built in America, can give it American registry.

Mr. GROSVENOR. And it simply proposes on their own recommendation that that power be taken from them, but all the other rights and privileges are retained in the law.

Mr. UNDERWOOD. But there will be no rights and privileges left?

Mr. GROSVENOR. They are all left except that one privilege.

Mr. UNDERWOOD. That is the privilege of American registry?

Mr. GROSVENOR. No; I have stated that there are four ways that a ship can get American registry, and this takes away only one of them and leaves all the others exactly as they are now.

It appears there was a very lengthy debate on it, which is shown quite at length in the Senate committee report. Now, they state further:

The bill S. 2335 proposes to reenact the old section 4136 as it existed for some 54 years with certain additions which will more completely safeguard its provisions.

Under its provisions to entitle a foreign-built vessel to United States registry or enrollment, such vessel must be: First, wrecked on the coasts of the United States or her possessions or adjacent waters; second, she must be purchased by a citizen or citizens of the United States; third, she must be repaired in a shipyard in the United States or her possessions; fourth, the repairs put upon such a vessel must be equal to three times the appraisal salved value of the vessel; fifth, the expense of the appraisal shall be borne by the owner of the vessel; sixth, if any of the representations made to obtain the register are not true, the vessel, her tackle, apparel, and furniture shall be forfeited to the United States.

Right in that connection I desire to say I, for one, can not understand when this law was upon the statute books previously

how there could be included as part of the repairs the expense of paying a watchman for taking care of the vessel. If so, certainly during the previous existence of this law there was something rotten in Denmark. I do not think you will find any such construction placed upon this law by any Democratic administration.

Under its provisions to entitle a foreign-built vessel to United States registry except by a special act of Congress. It is manifestly absurd to require that in case a foreign vessel is wrecked on our coasts and is salved by American tugs, refusing to pay the salvage, is labelled and sold by decree of court, and is purchased by the salvors to protect themselves, it can not be given American registry and put to use until the salvors shall have a bill introduced in Congress, appear in Washington and make proof of all their allegations, have the bill favorably reported by committees, passed by both Houses of Congress, and approved by the President. The well-known delays, expense, and trouble of such a performance make it practically prohibitory and works a hardship on the people who have saved the wreck, often the people who have repaired the wreck, and benefits no one.

It is for this reason we desire to have the old law restored as proposed by this bill.

Now, then, gentlemen, I think that under the circumstances we all have a pretty fair knowledge of the meaning and purposes of this bill. As we have spent already two hours and a half upon it, I take the privilege at this time, Mr. Speaker, of moving the previous question upon the bill.

The SPEAKER. The gentleman from Wisconsin moves the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read a third time.

Mr. GREENE of Massachusetts. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The question is on the final passage of the bill, and the gentleman from Massachusetts [Mr. GREENE] raises the point of no quorum. Evidently there is none.

Mr. HARDY. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Texas [Mr. HARDY] moves a call of the House.

Mr. HARDY. And I demand the yeas and nays on the passage of the bill.

Mr. GREENE of Massachusetts. That is not in order, Mr. Speaker.

Mr. ANDERSON. This is an automatic roll call.

The SPEAKER. It is not an automatic roll call. There was no division going on at the time. The gentleman from Texas [Mr. HARDY] moves a call of the House.

Mr. HARDY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDY. On that call of the House is there a vote on the passage of the bill?

The SPEAKER. The Chair thinks not.

Mr. HARDY. As a novice in parliamentary practice, the bill being on its passage, and the vote being ready when the point of no quorum is made, I wish to know if automatically the vote under the point of no quorum does not come up on the passage of the bill?

Mr. BRYAN. A parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman will state it.

Mr. BRYAN. The Speaker has stated that the yeas had the motion.

The SPEAKER. That was on the third reading of the bill. The vote is simply to see whether there is a quorum present.

Mr. NORTON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. NORTON. To make a parliamentary inquiry, Mr. Speaker. The Speaker had just declared that the question of the third reading of the bill had carried when the point of no quorum was raised.

The SPEAKER. That is the situation. That is exactly what the Chair said.

Mr. HARDY. Has the Speaker yet decided whether a quorum is present or not?

The SPEAKER. No; that is the very thing we are trying to do.

Mr. MANN. The Chair said that evidently there is no quorum present.

The SPEAKER. The Chair said that there was no quorum present. At the time the point was raised there were not over 40 men on the floor.

Mr. GARNER. The House has already ordered a call of the House.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.



The roll was called, and the following Members failed to answer to their names:

[Roll No. 81.]

Alexander	Ferris	Kreider	Roberts, Nev.
Avis	Flood, Va.	Langley	Rothermel
Baker	Francis	Lazaro	Rucker
Barkley	French	L'Engle	Sabath
Barnhart	Gard	Leshner	Sells
Bowdler	George	Lever	Sherwood
Brodbeck	Gill	Lewis, Md.	Shreve
Brown, W. Va.	Gillett	Lewis, Pa.	Slayden
Burgess	Gilmore	Lindquist	Slomp
Burke, Pa.	Gittins	Lithicum	Smith, Md.
Calder	Goeke	Loft	Smith, Tex.
Candler, Miss.	Goldfogle	Logue	Sparkman
Cantor	Gorman	McClellan	Stanley
Caraway	Graham, Ill.	McGillcuddy	Stephens, Miss.
Carr	Graham, Pa.	McGuire, Okla.	Stevens, N. H.
Carter	Hamill	McKellar	Stout
Cary	Hamilton, N. Y.	McKenzie	Talbot, Md.
Chandler, N. Y.	Hamlin	MacDonald	Talcott, N. Y.
Church	Harris	Maher	Taylor, Ala.
Clancy	Hart	Martin	Taylor, N. Y.
Clark, Fla.	Hay	Miller	Temple
Claypool	Hayden	Morgan, La.	Thompson, Okla.
Cooper	Helgesen	Morin	Treadway
Copley	Hensley	Mott	Tuttle
Crosser	Hinebaugh	Mulkey	Vare
Cullop	Howell	Neely, W. Va.	Vollmer
Dale	Hoxworth	Nolan, J. I.	Walker
Danforth	Hullings	O'Brien	Wallin
Davenport	Humphrey, Wash.	Oglesby	Walters
Donohoe	Jacoway	O'Shaunessy	Whaley
Dooling	Johnson, S. C.	Patten, N. Y.	Whitacre
Drukker	Johnson, Utah	Peterson	White
Dunn	Jones	Porter	Wilson, Fla.
Edmonds	Kahn	Post	Wilson, N. Y.
Elder	Kelley, Mich.	Price	Winslow
Estopinal	Kennedy, Conn.	Prouty	Woodruff
Evans	Key, Ohio	Reed	Woods
Fairchild	Kitchin	Riordan	
Faison	Korbly	Roberts, Mass.	

The SPEAKER pro tempore. Two hundred and seventy Members being present, there is a quorum.

Mr. HARDY. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER pro tempore. The gentleman from Texas [Mr. HARDY] moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, is it in order now to offer an amendment to the bill?

The SPEAKER pro tempore. No.

Mr. HARDY. I understand the question now is on the passage of the bill; the vote is upon that, and on that I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Texas moves the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HARDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOORE. Did not the gentleman from Texas [Mr. HARDY], in making his request, ask for the yeas and nays on this question?

The SPEAKER pro tempore. No, sir; the Chair understands he did not.

Mr. HARDY. That question was not entertained by the Speaker, and not insisted upon by me.

Mr. MOORE. I understood the gentleman from Massachusetts [Mr. GREENE] intended to make it, and I understood the gentleman from Texas did make it. I am not in charge of the bill, but I understood the demand was to be made.

Mr. HARDY. That might have been; but the question was taken without objection, and the declaration of the result was had without objection.

The SPEAKER pro tempore. The Chair will state that if such a determination on the part of the gentleman from Texas [Mr. HARDY] was expressed it was before the present Presiding Officer was in the chair.

A MEMBER. Oh, no!

Mr. MOORE. Some of those who desired to oppose this bill had no opportunity to be heard, and I am one of them.

Mr. RAGSDALE. Regular order!

Mr. MOORE. Mr. Speaker, I make the demand for the yeas and nays.

Mr. RAGSDALE. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAGSDALE. It has already been considered and laid on the table. The point of order is that it comes too late now.

Mr. UNDERWOOD. The yeas and nays were not ordered. The gentleman knows that they must be ordered before they can be had.

Mr. MOORE. I understood the gentleman from Texas called for the yeas and nays.

Mr. UNDERWOOD. They had to be ordered.

The SPEAKER. The yeas and nays were never ordered.

PARKWAY THROUGH FISH STATION, JEFFERSON COUNTY, KY.

Mr. HARDY. Mr. Speaker, the gentleman from Pennsylvania makes a demand after the motion to lay on the table had been made and agreed to. Now, I wish to call up from the Committee on the Merchant Marine and Fisheries the bill H. R. 14950.

EXTENSION OF REMARKS.

Mr. MOORE rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE. To request unanimous consent to extend my remarks on the bill just passed—the shipping bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

Mr. BUCHANAN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks on the question of the Federal liability laws.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks on the Federal liability laws. Is there objection?

There was no objection.

Mr. RAGSDALE rose.

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. RAGSDALE. I rise to ask unanimous consent to revise and extend my remarks on the child-labor bill.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks on the child-labor bill. Is there objection?

There was no objection.

PARKWAY THROUGH FISH STATION, JEFFERSON COUNTY, KY.

The SPEAKER. The Clerk will report the bill. What is the number?

Mr. HARDY. No. 14950.

The SPEAKER. Senate or House?

Mr. HARDY. It is a House bill to authorize the city of Louisville, Ky., to open a parkway through the United States fish station and hatchery in Jefferson County, Ky.

Mr. MANN. Numbered 203 on the Union Calendar.

Mr. HARDY. This is a bill, Mr. Speaker, about which I do not think there will be any difference, and I would like to ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. We have not arrived at that point yet. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14950) to authorize the city of Louisville, Ky., to open a parkway through the United States fish station and hatchery in Jefferson County, Ky.

The SPEAKER. The gentleman from Texas [Mr. HARDY] asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from Alabama [Mr. UNDERWOOD] in the chair.

Mr. HARDY. Mr. Speaker, pending the going into the Committee of the Whole, I would like to know if we can agree upon a limit of time for debate.

Mr. SHERLEY. Mr. Speaker, I desire to call attention to the fact that upon an appropriation bill a provision substantially like that embodied in this bill was carried and is now a law.

Mr. HARDY. That being the case, Mr. Speaker, I wish to withdraw the proposition presented in this bill. I have been trying to find Mr. SHERLEY.

The SPEAKER. The gentleman from Texas [Mr. HARDY] withdraws the bill. Has the Committee on the Merchant Marine and Fisheries any other bill?

SURVEY OF OYSTER BEDS, COAST OF TEXAS.

Mr. HARDY. Yes; Senate bill 3362, on the Union Calendar.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 3362) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas,



The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the state of the Union—

Mr. HARDY. Mr. Speaker, I would like to ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Texas [Mr. HARDY] asks unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. MANN. I object.

Mr. HARDY. Can not we agree on a limit of time for the discussion of the bill before going into Committee of the Whole?

Mr. MANN. Reserving the right to object, what other bill does the gentleman from Texas expect to call up to-day?

Mr. HARDY. There is an omnibus fish-hatchery bill, but we have concluded not to press that bill or insist upon it.

Mr. MANN. If the gentleman will permit, I felt constrained yesterday to object to the extension of remarks in the Record on the shipping bill. I thought that possibly we would go into Committee of the Whole House on the state of the Union to-day, and if gentlemen now want to discuss that bill or ask leave to extend remarks in the Record upon it under the proceedings of to-day, I would have no objection. I think we can probably use the day on this bill and before we adjourn very likely pass it. So I do not think it is desirable to limit debate now.

Mr. FOSTER. Is it the idea of the gentleman from Illinois that he would be willing for those who desire to extend remarks on the shipping bill generally to have that opportunity?

Mr. MANN. I would have no objection under the provisions in this bill, not to go into the proceedings of yesterday.

Mr. FOSTER. Suppose a Member wants to extend his remarks on the shipping bill?

Mr. MANN. We will see if they can not all be accommodated in Committee of the Whole to-day.

Mr. FOSTER. What is the objection to doing it now?

Mr. MANN. I shall have to object if it is asked right now.

Mr. FOSTER. That will only give a few who may be here the opportunity.

Mr. MANN. We will see if we can not accommodate everybody who wants to get in.

The House resolved itself into Committee of the Whole House on the state of the Union, with Mr. UNDERWOOD in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

S. 3362, an act to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas.

*Be it enacted, etc.,* That the Secretary of Commerce be, and he is hereby, authorized and directed, upon the request of the governor of the State of Texas, to assign such officers, experts, and employees of the Coast and Geodetic Survey and of the Bureau of Fisheries as may be necessary to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas, including the compilation of the results of said survey for publication, and for this purpose he is authorized to employ in the District of Columbia and elsewhere such technically qualified persons as may be necessary to carry out the purposes of this act.

SEC. 2. That the Coast and Geodetic Survey and the Bureau of Fisheries be, and they are hereby, authorized and directed to expend, under the direction of the Secretary of Commerce, a sum of money hereafter authorized to be appropriated not exceeding \$10,000 in carrying out the purposes of this act, which amount is to be available until used.

SEC. 3. That this act shall take effect from the date of its passage.

Mr. HARDY. Mr. Chairman, before I begin to explain the bill or refer to it I want to ask a parliamentary question. As I understand, I will be recognized for an hour, and I can yield a portion of my time without losing the floor?

The CHAIRMAN. The bill is being considered under general debate. The gentleman is recognized for one hour, and he can yield such time as he sees fit.

Mr. HARDY. Then, Mr. Chairman, I yield to the gentleman from Minnesota [Mr. SMITH] five minutes.

Mr. SMITH of Minnesota. Mr. Chairman, the spectacle which we witnessed in this Chamber yesterday would in no way tend to convince the people of this country that the House of Representatives is a necessary branch of our legislative body, and this is especially true since the scene enacted is only a repetition in an aggravated form of what has been happening ever since April, 1913. King Caucus and gag rule have become the principal methods of legislation. There is no doubt but that party conferences are necessary now and then for the sake of the party, but when it is carried to the extent that it has been in this Congress and those conferences reach a point where a small minority of a legislative body force legislation upon the majority, it becomes exceedingly dangerous. This House was told that it must pass a measure of great importance on a

certain day, on a certain hour, without the right to amend it or to discuss it for more than six hours.

Is it surprising that the ranking member of the Committee on Merchant Marine had to spend most of his time manipulating the lists of those who opposed the bill so as to take care of a few of his special friends? Of course, the distinguished gentleman criticized most severely the members of the majority for bringing in this gag rule, but he had no sooner taken his seat than he himself commenced to discriminate among the members of the minority. However, the gentleman has been breathing this unnatural legislative atmosphere so long that he should be pardoned for imitating the methods of the Democratic Party, but even this does not alleviate the unfairness of the tactics employed. There is nothing about this legislation which called upon the Democratic Party to substitute force for reason, but much that demands our best thought and sound judgment, hence full discussion and debate. The American people, irrespective of parties, recognize the necessity of building up a merchant marine and are demanding legislation that will bring that about. But this bill is not only a makeshift, but also exceedingly dangerous.

However, it is claimed that it is an emergency measure. If that is its purpose it must get into the shipping business at once, and the only way that that can be done is to purchase German interned ships, since they are the only ships for sale. No one is so dense as not to recognize the danger at this time of purchasing ships from the citizens of any belligerent nation, and to avoid this contention the sponsors for the bill claim that they may build ships. They are not very emphatic in making this claim, because they know that if they were no one would put any faith in their statement that this is an emergency measure. However, they are perfectly willing to let it be understood that if we will only trust to the wisdom of the shipping board that they will see to it, no matter what course they pursue, that we do not become involved with any foreign country by reason of any acts of theirs, and are also perfectly willing to have it understood that they may go into the shipbuilding business. If the purpose of this legislation is to authorize the Government to build its own ships, why resort to such subterfuge as having a shipping board flanked by a corporation? Why could not the Secretary of Commerce and the Secretary of the Navy be instructed to proceed at once to provide for the erection of ships both by private shipyards and at the navy yards? Such a course would be the straightforward way of doing business and would not excite any suspicion. Any attempt to complicate a law by loading it down with a great many provisions and conditions which are shrouded in a great deal of mystery gives just ground for suspicion, and it is putting it mildly to say that this Congress has every reason to be suspicious, not of the motives of the parties who brought this legislation before us, but of the effects of the legislation.

The provisions of the bill themselves furnish almost positive proof that the intent of the legislation is to create a condition which will deceive foreign countries as to the real ownership and responsibility of Government ships. Furthermore, this is a plain attempt to substitute a shipping board for Congress. The bill proposes to set aside all existing shipping rules and regulations and to permit the board to substitute others in their place. [Applause.]

Mr. HARDY. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. PAGE].

[Mr. PAGE of North Carolina addressed the committee. See Appendix.]

Mr. GREENE of Massachusetts. Mr. Chairman, I desire to be recognized, for I want to yield some time on this side of the House.

Mr. HARDY. I understand that anybody who is recognized has an hour, but there are some Members on this side who want to speak first. I yield to the gentleman from Tennessee [Mr. McKELLAR].

Mr. McKELLAR. Mr. Chairman, I ask unanimous consent to extend my remarks on the shipping bill.

Mr. MANN. Reserving the right to object, I have no objection to the gentleman extending his remarks on the shipping bill or anything else, so that it comes under the consideration of this bill.

Mr. McKELLAR. What does the gentleman mean by that?

Mr. MANN. I mean that it is to be inserted in the proceedings of to-day and not in yesterday's proceedings.

Mr. HARDY. Oh, no; it will be under the proceedings of to-day.

Mr. MANN. Then I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.



Mr. HARDY. Mr. Chairman, on the bill under consideration I wish to make a very brief statement and express the hope that, so far as this bill is concerned, when we shall have consumed as much time as we can conveniently to-day there will be no opposition to the bill. I am informed that on the coast adjacent to Texas there are quite extensive oyster beds and quite a necessity for a geodetic survey, and that these oyster beds have been to a large extent exhausted and that a food proposition is involved largely in the question of the Government taking charge for the purpose of establishing or locating an oyster bed or fish hatchery, or something along that line. This is a preliminary matter designed to give the Government information in connection with it and to better qualify the authorities to take the proper steps. It only provides for a preliminary survey in the barren bottoms, oyster beds, bars, and rocks along the coast of and within the State of Texas, and provides for the expenditure by the Coast and Geodetic Survey and the Bureau of Fisheries, under the direction of the Secretary of Commerce, of the sum of money hereinafter to be appropriated, not to exceed \$10,000, and, of course, until that sum is appropriated nothing can be done under the bill. It is practically only to clothe the proper authorities with the right to make the survey.

Mr. MANN. Will the gentleman yield for a question?

Mr. HARDY. Certainly.

Mr. MANN. My recollection is—the gentleman will know whether I am correct or not—that a similar authority was given to the Secretary of Commerce with reference to the oyster beds of Maryland some years ago.

Mr. HARDY. I think so.

Mr. MANN. And the survey has been made or is being made, I do not know which. This is to make a survey of beds which can be used for the propagation of oysters in the Gulf along the Texas coast.

Mr. HARDY. Yes.

Mr. MANN. I take it that the intention is to authorize an appropriation of \$10,000,000 or some lesser sum for this purpose, but as I read section 2 that would not be accomplished. Perhaps I am wrong. Section 2 provides—

That the Coast and Geodetic Survey and the Bureau of Fisheries be, and they are hereby, authorized and directed to expend, under the direction of the Secretary of Commerce, a sum of money hereafter authorized to be appropriated not exceeding \$10,000 in carrying out the purposes of this act, which amount is to be available until used.

This apparently provides for a sum of money to be hereafter authorized to be appropriated. Of course that would not give authority for the appropriation without further authorization.

Mr. HARDY. Does the gentleman suggest an amendment?

Mr. MANN. I was going to suggest striking out section 2 entirely and inserting in section 1, in line 1, on page 2, after the word "publication," the language "at a total limit of cost of \$10,000."

That would be an authorization.

Mr. HARDY. Would it not be still better to say "at a cost not exceeding \$10,000"?

Mr. MANN. That is the same thing—a limit of cost. That does not mean that we have to make the appropriation. Whenever we authorize anything of this sort we usually put in a limit of cost. We authorize the thing to be done and fix a limit of cost. Now, the appropriation might be only \$2,000, or whatever they need.

Mr. HARDY. I recognize that the language suggested by the gentleman from Illinois would be better than the language in the bill, but we are so near the close of this session that there may be difficulty in getting the amendment concurred in by the Senate.

Mr. MANN. I do not think there will be any trouble about the Senate agreeing to these House amendments to Senate bills. There has been no difficulty about that.

Mr. HARDY. Then I will accept the suggestion of the gentleman to strike out section 2.

Mr. MANN. When we get to reading the bill under the five-minute rule. I do not think this is an authorization as it now reads, and I doubt whether the passage of the bill would have any effect if a point of order should be made on an appropriation; and I think if we are going to do it, there is no use in making two bites of a cherry.

Mr. HARDY. I will at the proper time accept the amendment suggested by the gentleman.

Mr. Chairman, I yield 30 minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, this Congress will soon expire by limitation of law. It may be that as a young man serving my first term I am more deeply impressed with the work we have done than are those of longer service, but be that as it may, I venture the assertion that this Congress has enacted

more constructive legislation than any Congress that has convened in half a century. It is a source of gratification to me that the Congress in which I am serving my first term has such a splendid record of achievement, and yet, Mr. Chairman, in spite of the pride I feel for the things we have done, I deeply regret that we have not legislated upon another subject that to my mind is of equal, if not greater, importance than either the tariff, currency, trust regulation, or Trade Commission, and that is the pressing need for a rural or farm credit system. [Applause.]

Mr. Chairman, I shall not undertake at this time to discuss in detail the question of farm credits, but I shall confine myself to a brief consideration of what is meant by the term "rural credits," a statement of some of the necessities for such legislation, and meet some of the objections that are made by those who oppose it.

The term "rural credits" is generally used to designate any system of financial machinery whereby funds are furnished to meet the peculiar and special needs of the farmers upon such terms and at such a rate of interest as not to prove burdensome. Farm credit is divided into two classes, long-term or land credit, which is briefly defined as "credit to meet the capital requirements of the farmer," and short-term or personal credit, which is briefly defined as "credit to meet the current or annually recurring needs of the farmer." The establishment of some system of long-term or land credit for the farmer is the object of most of the bills pending on this subject, and I shall confine what I have to say to that branch of the subject, and by using the term "farm credits," or "rural credits," I shall mean simply land credits for farmers, whereby they procure long-time loans, secured by mortgages on their land, drawing a low rate of interest, the loan to be repaid by the payment of not only the interest each year but a small part of the principal, an amount so small that it will not be a serious burden to him and yet so large that in a given term of years the entire debt is paid and his mortgage canceled. This plan of loans, which is known as the amortization plan, has been tested in nearly every civilized country in the world, and proved a success. By such a plan the farmer avoids the anxiety caused by the fear that when his debt comes due he will not be able to either pay it or renew it, but will be forced to lose his home by foreclosure. Under the amortization plan of loans, which has proved a success in other countries, the farmer pays no more each year than the average American farmer now pays in interest.

For illustration, let us take one of the German land-credit plans to which attention has been called by Senator FLETCHER, who was a member of the Rural Credit Commission that visited Europe a few years ago. The rates of interest generally in Germany are higher than they are in this country, yet under a farm-credit system in Germany on a loan to a German farmer made at 4 per cent interest there is added three-fourths of 1 per cent for amortization, one-fourth of 1 per cent to cover operating expenses of the system, or a total of 5 per cent annually; and by paying this amount each year for a given number of years the entire debt was paid and his mortgage canceled. The American farmer pays 8 or 10 per cent interest per annum on the mortgage on his farm. The loan of the German farmer is in fact an investment. He can afford to borrow money to buy a farm or improve a farm at that rate. The American farmer is in debt; the German farmer is using his credit. Each year while paying 5 per cent on the money received the German farmer is getting out of debt, while the American farmer is paying 10 per cent and not reducing his debt a penny.

But it is urged by those who oppose farm-credit legislation in this country that conditions are different here to those in Europe, and that a system of land credits applicable to European conditions under European forms of government is not applicable to conditions in the United States and can not be provided under our form of government. Of course both conditions and forms of government are different here to those in Europe, and I do not propose that we adopt for this country any system now used in Europe, but I deny that under this great democratic Government, republican in form, founded primarily, as declared in the preamble to our Constitution, "to promote the general welfare," we are without power to provide the American farmer with such financial facilities as are necessary to meet the special needs of his economic conditions. [Applause.]

The contention that under our Constitution this Government is powerless to meet this grave problem and solve it is a sad commentary upon our form of government. The solution of this problem has not been beyond the powers of the Republic of France, the Kingdoms of Great Britain and Italy, the Empires



of Austria and Germany, and the Autocracy of Russia, and yet those who oppose farm-credit legislation say that it is beyond the constitutional power of this a democratic Government. I repeat, if this contention be true, then what a sad commentary upon our boasted republican form of government. Those who make this contention find themselves in the ludicrous position of saying that we have constitutional power to give direct aid to the farmer by furnishing him free seeds, but not the power to directly aid him in procuring the land in which to plant them; the power to supply funds for agents to teach him how to till the soil, but no power to aid him by furnishing him with financial facilities by which he will be assisted in buying the soil; the power to grant millions of acres of the public domain to the railroads of this country; the power to spend hundreds of millions to aid the commerce of the world by building the Panama Canal; the power to pour unnumbered millions into the development of Alaska for the building of railroads; the power to spend millions for the building of Government ships, as we propose in the ship-purchase bill; but no power to provide the farmers of this country with a separate financial system adapted to their economic needs. Oh, if this be true, then what a peculiar instrument is this our Constitution! [Applause.]

Those who hold this view do not question the constitutional authority to loan to the banks of this country millions out of the Treasury at 2 per cent, yet rush to the defense of the Constitution when it is proposed to furnish to the farm builders such credit facilities as the great economic need of the Nation demands. The only constitutional objection that some gentlemen have ever offered to loaning money to the banks has not been to the loan of the money, but to the requirement that the banks should pay interest on these loans. Oh, but they indignantly cry out that the Government does not "loan" its money to the banks, but just "deposits" it. Well, why not provide the American farmer with proper agencies adapted to furnishing him needed credit facilities and "deposit" with these agencies some of this money? [Applause.]

To say it is possible under European forms of government for them to provide, as they have, separate systems of financing the special needs of their farmers, and that it is impossible under our form of government to safely provide a separate system of financing the needs of the American farmer applicable to his conditions, is a severe indictment of our system of government. Those who thus indict and condemn our form of government are either ignorant of the spirit and character of our system of government or else they are ignorant of and indifferent to the needs of agriculture in this country and have no conception of the fact that the prosperity and security of this country depend upon the prosperity of the producing classes.

The first great economic duty of a nation is to feed and clothe itself, and any form of government is inherently weak and defective if under its limitations its legislative department can not by providing proper credit facilities procure capital funds on reasonable terms for its producers and thereby enable and assist them by their labor and by their own initiative perform this great duty.

I deny that our form of government makes it impossible to discharge this great duty. I believe the American Congress has ample authority to provide an American system of rural credits, American in form, American in spirit, and so framed as to meet American economic conditions and afford proper credit facilities in an American way to meet the needs of the American farmer. I shall not at this time discuss any particular plan. Some two years ago I outlined a plan, which I think safe, sound, and practical and in keeping not only with the customs and practices of this country but certain to provide ample funds for the American farmer at a reasonable rate of interest and upon long terms without disturbing the system of commercial credits and commercial banking now existing. But, Mr. Speaker, I repeat that I shall not undertake to discuss any particular plan, because my prime purpose upon this occasion is not to impress upon you the merits of any pet plan of my own, but to urge the necessity for some plan and meet the objections that have been offered to every plan. I have no particular pride of opinion, and will not refuse to take any plan because I can not get my own, but if this Congress recognizes the necessity for and the wisdom of enacting rural-credit legislation, I feel sure that we shall be able to agree upon a plan by making mutual concessions as to details, so I shall not stop at this time or be diverted from a discussion of the main question by engaging in a dispute as to the relative merits of the different plans proposed, but shall resume consideration of the objections that are offered to this class of legislation.

The principal opposition to rural-credit legislation is placed upon the ground that there is no necessity for any such legislation. We are told by those who oppose this legislation that the

American farmer is sturdy, independent, self-reliant, and prosperous, and through present banking facilities his needs are being fully met, and, in fact, some contend that he is more prosperous than other classes. I heard one of these distinguished gentlemen, in discussing his opposition to farm-credits legislation, state that he did not see why there was any demand for this legislation, as the farmers in his part of the country could get all the money they wanted for 5 and 6 per cent, and that, as a matter of fact, most of the farmers in his territory own the banks and have money loaned out, at interest. Another gentleman has called attention to the fact that last summer he addressed a large gathering of farmers in his district, and that hundreds of automobiles were parked around the meeting place, which automobiles were owned by the prosperous farmers, and in which they rode to and from the meeting. It may be true that in some parts of the country the farmers as a class are exceedingly prosperous, that they are wealthy, that they follow the plows during the week days and ride in expensive automobiles on Sunday. It may be they have a great deal of surplus money saved up, that they own the banks of their communities, and that out of their surplus funds make individual loans to relieve the distress of the merchants, the lawyers, the doctors, and the manufacturers in their sections. I say, Mr. Speaker, this may be true, because reputable men have stated that these conditions are true in their communities, but I deny that such is the condition of the farming classes of the country as a whole. Let us for a moment consider the facts as to agriculture in this country. In 1880, according to the Federal census, over 70 per cent of the population of the United States was classified as agricultural. In 1910 the Federal census shows only 53 per cent of the population so classified. A close analysis of these statistics will show that these figures are misleading, for the facts are in many parts of the country farm lands have been abandoned, until now only 28 per cent live on the farm, and each year sees a greater number of young men of the agricultural classes leaving the farms and going to the towns and cities, and, in addition, the number of farm home owners of this country is becoming fewer and fewer, and the number of the tenant class is very rapidly on the increase. So heavy has become the burden upon the farming classes, staggering under the heavy load they have to bear, forced to finance their operations by an expensive commercial financial system, that the tendency is away from home owning and toward absentee landlordism. I recently heard a great agricultural expert of this House, who has given a great deal of thought and investigation to the changing conditions of farm life, in analyzing the statistics presented by the last Federal census, state that if the present drift were not checked and conditions were not relieved, in less than 50 years' time 20 per cent of the people of this country would be called upon to feed and clothe the remaining 80 per cent.

This is the only civilized nation upon the face of the earth that has not recognized and acted upon the necessity of a separate system of financing for its agricultural classes. By providing a separate system of financing for the farmers of this country we will not accord to them a special privilege, which is charged by some of those who are vehement in their opposition to this legislation. We have provided a system of financing for the commercial interests of this country, the prime object of that financial system being, as stated over and over by its proponents, to furnish credit facilities that would meet the "expanding and contracting needs of commerce." If that be true, that our present financial system is shaped entirely to meet the short-term credit demands of commerce, then if we provide facilities which will supply the long-term credit demands of the American farmer, we will not be granting to him a special privilege, but we shall only be doing him equal justice and according to him equal facilities.

Mr. Chairman, the man who says that the present commercial banking system of this country can carry the load of American agriculture and safely furnish the capital requirements of the American farmer upon terms that will not be a burden is either ignorant of the very law that underlies a commercial bank and necessarily controls its operation, or else he is ignorant of the economic needs of the agricultural classes. The very law of the being of a commercial bank is to furnish short-term credits to facilitate and furnish a medium of exchange for the daily transactions of the commercial world. The law of necessity requires the commercial bank to keep its assets liquid, so that it can at all times be ready to meet the demand obligations of its depositors and furnish the bulk of its capital. It would be unwise and it would be unsafe for a commercial bank to fly in the face of this necessity and jeopardize the safety of its institution by loaning out its deposits upon long-term credits. Assuming that the commercial bankers are doing the best they



can for agriculture, yet the law of their being and the necessities of the commercial world make it impossible for them to meet to the fullest extent the necessary demands of agriculture. Fortunately, a great many of the bankers of the agricultural States recognize this fact and are strong advocates of rural-credit legislation. One of these country bankers, in discussing this proposed legislation, stated that while it would primarily be of greatest benefit to the farmers, it would also benefit the country banks, for the reason that by a proper rural-credit system low-rate investment funds from the North and East would be brought into the agricultural communities of the South and West by these long-term loans to farmers, and these funds thus brought in would swell the current funds of the community, increase the amount of circulation per capita in these communities, and enable the country bankers in the agricultural towns to more readily meet the needs of commercial operations in these communities, and make it easier for the country banker to meet the short-term annual demands of the farmer upon easier terms. There is no question but that this country banker has the right view. There is no question but that all classes in the parts of the country where agricultural lands are being developed and farm homes are being built would profit greatly by this influx of low-rate long-term investment money. This country banker stated that the proper function of a commercial bank is to gather up the scattered cash in its community and convert this cash into banking credit, selling the same to its borrowers, while the capital demands of the farmers are just the reverse, in that they need to gather up the scattered credits made up of the loans of the farmers and convert these scattered credits into cash.

Those who say there is no necessity for this class of legislation and that the present Federal reserve act furnishes ample credit facilities for the farmer are few in number. President Wilson recognizes the necessity and the inadequacy of the present system, which he clearly set forth in a statement which appeared in the newspapers on August 13, 1913. In this statement he said that the proposal to include in the then pending Federal reserve act provisions for the facilitation of such credits as the farmers in the country most stand in need of—that is, agricultural credits as distinguished from ordinary commercial and industrial credits—were not adopted because such credits could only be imperfectly provided for in such measure. In addition, he further stated in the same newspaper statement that—

The scope and character of the bill, its immediate and chief purpose, could not be made to reach as far as the special interests of the farmer require. Special machinery and a distinct system of banking must be provided for if rural credits are to be successfully and adequately supplied.

President Wilson in this same statement, in discussing the necessities for rural-credit legislation and pointing out the serious disadvantages under which the American farmer is laboring, said:

One of the chief and most serious of these disadvantages has been that he has not been able to secure the extended bank accommodations he every year stands in need of without paying the most burdensome rates of interest and saddling himself with mortgages and obligations of every kind, which he fairly staggered under, if he could carry them at all. In other countries systems of rural credit have been put into operation which have not only relieved the farmer, but have put his enterprises upon a footing of easy accomplishment. Countries in which agriculture was fatally languishing, because wholly unprofitable, have seen their farming lands blossom again and their people turn once more hopefully to the soil for a living. Our farmers must have similar means afforded them of handling their financial needs, easily and inexpensively. They should be furnished these facilities before their enterprises languish, not afterwards. And they will be. This is our next great task and duty.

Another objection that is urged against rural-credit legislation is that it will furnish the farmers with cheap money, and those who offer this argument in opposition to rural-credit legislation say that the American farmer is improvident and has no business sense, and that he will borrow too much and ruin himself if the rate of interest is lower. The farmers of my State are just as intelligent and capable as the farmers of Illinois and Indiana, where they can get money at 4½ and 5 per cent. Has cheap money ruined the farmers of Illinois and Indiana? Again, some of those who are opposed to rural-credit legislation, with a great deal of solicitude for the farmer, warn him against the dangers to him involved in this legislation and try to make him believe that it is a scheme to involve him in debt and ruin him. While it is true that some farmers are improvident and will go too deeply in debt if given too much credit, the same is true of many merchants, lawyers, doctors, and other classes. The fact is that the great majority of farmers are compelled to go in debt each year and are left with no choice. The young farmer starting out in life and the tenant who owns no land can not procure a home without going in debt. The right kind of rural-credit legislation will not only not ruin the farmer by taking his home away from him, as some would make him believe,

but would, so far as land credits are concerned, protect those who already own homes, but which are mortgaged for a short time at a high rate of interest, against loss by foreclosure on account of crop failure or other misfortune. He would be protected under a proper rural-credit system by having his debt turned into an amortized loan so that by payments that are not burdensome he could ultimately discharge his obligations.

Some object to legislation of this kind, insisting that it is a matter that should be left strictly to private capital, and that no Government aid should be given, basing their objections upon their statement that the American farmer is not a serf, as the agriculturists of Europe are classed by them. One of these gentlemen says that to call an American farmer a peasant would be to insult him. Those who offer this objection to any Government aid simply offer the same argument and the same objections that those who are opposed to any rural-credit legislation offer, and therefore this objection demands consideration.

Both of the objectors who make this argument show thereby that they are ignorant of the great economic necessity upon which the intelligent, thoughtful, sincere advocate of rural credit bases his demand for and justifies such legislation. It is true that the American farmer is neither a serf nor a peasant in the sense that these terms are applied to certain classes in Europe. The term "serf" or "peasant," as commonly used in Europe, means a person who is bound to work on a certain estate, and is thus attached to the land and sold with it into the service of whoever purchases the land. True, the American farmer does not belong to this class, but if the economic burden that rests upon his shoulders is permitted to continue and no proper financial facilities are afforded him with which to meet his necessities, little by little, as the census reports show, he will be forced from the home-owning, prosperous class into the tenant and poverty-stricken class, and in the course of the years, if such drift is not checked, many will become economic serfs. What produced the peasant of Europe? What drove the agricultural classes of Europe into serfdom? Did the condition of serfdom follow the law enacted or decrees promulgated governing this class, or did these laws and decrees simply follow the economic and industrial conditions that so ground down the husbandman that the passing of the laws and the promulgation of the decrees were naught but formal assertion of restraints that economic distress had already imposed? The civilized countries of Europe, by their efforts for the past 50 years to remedy the industrial conditions surrounding their agricultural classes by the establishment of rural-credit agencies, have but been applying a remedy for an evil that existed, which evil should have been prevented. Europe by this class of legislation is lifting from the mire of intolerable conditions her agricultural classes, while upon the other hand those who seek this legislation in this country seek it not because the American farmer is a peasant or a serf, but because they do not want the the American farmer to ever become either a peasant or a serf. [Applause.] We propose to so provide for agriculture in this country that the American farmer will continue intelligent, upright, self-reliant, and productive, and not permit the burden of intolerable economic conditions to force him to the last extremity before we recognize his necessities and make the same provision for him that we have long since made for our commercial classes.

Mr. Chairman, I have as best I could in the brief time permitted discussed some of the necessities for this legislation and answered some of the objections that are offered by those who oppose it. For some time I have recognized and called attention to the necessity for farm-credit legislation, and when I entered this Congress, beginning my first term, and the Committee on Banking and Currency, of which I am a member, took up the question of reforming the banking and currency laws I insisted that it was just as important to provide financial machinery adapted to the needs and requirements of agriculture as it was to reform our banking and currency laws, so as to more fully meet the needs and requirements of commerce, and that rural-credit legislation should go hand in hand with the proposed Federal reserve act. I and those of us who were interested in this question pressed our contentions vigorously, both in the committee and on the floor of the Democratic caucus; and while President Wilson and a majority of the Democrats admitted the necessity for this character of legislation, they insisted that they were not ready to act wisely, and that it would be better to frame a rural-credit law separate and apart from the Federal reserve act. At that time President Wilson, in a statement which appeared in the newspapers in discussing the proposal for a rural-credit system, said:

It should have accompanied and gone hand in hand with the reform of our banking and currency system if we had been ready to act wisely with full knowledge of what we were about.



Finding that a majority of the Democratic caucus agreed with the President that the scope and character of the Federal reserve act were limited to the needs of commerce, and that its immediate and chief purpose could not be made to reach as far as the special interests of the farmer require, and that they seemed to be in perfect accord with the President's statement that special machinery and a distinct system should be provided for the farmers, and as he stated that he regarded such legislation as our next great task and duty, as I have above quoted him, I offered a motion in the Democratic caucus directing the Committee on Banking and Currency to prepare a rural-credit bill and report the same to the next session of Congress, which was to convene the following December. The caucus gave such instructions, and I at that time did not for a moment doubt that these directions would be obeyed by the committee. I thought that with the President of the United States urging the necessity for legislation of this kind, and with him stating that he regarded it as our next great task and duty, and knowing that the Democrats of Congress were willing to carry out his suggestions with reference to matters of legislation, I felt confident that this Congress would perform that great task and discharge the great duty which he said was our next one. Pursuant to the instructions of the Democratic caucus, the Committee on Banking and Currency appointed a subcommittee on rural credits, headed by the gentleman from Ohio [Mr. BULKLEY], which subcommittee took up the question, and after considerable hearings, and working with a like subcommittee of the Senate Committee on Banking and Currency, they jointly framed what has become known as the Bulkley-Hollis bill. I immediately insisted that the full committee should take up this question and consider it, and if we did not favor the plan proposed by the subcommittee the full committee should frame some other plan and present the same to the House for its consideration and action.

I regret, Mr. Speaker, that I have been unsuccessful in my efforts to get this question considered by the full committee. At every meeting I have insisted that we take up the rural-credit question and report a bill to the House, and I feel sure that if the full committee will but take up the question we can agree upon a bill and report it to this House within two or three days' time, and then it would be proper to provide for its consideration by a special rule, which expedient has been resorted to in order to pass a great many other bills through this House. By doing this we can yet have time to pass a rural-credit bill at this session of Congress, and if we do not consider and enact such legislation at this session of Congress, and we have an extra session, which now seems probable, I shall renew my efforts in behalf of this legislation and shall not be content until by the enactment of a bona fide, real, practical rural-credit system we shall have given to the American farmer the financial facilities to which he is justly entitled and which are necessary in order that he may be placed upon an equal footing with the privileges enjoyed by the commercial interests of the country under our present banking and currency laws.

Mr. Chairman, why should we longer delay this legislation? Why should we longer deny to the American farmer a rural-credit system which would not only be a blessing to him, give renewed strength to his arm, kindle anew the fires of hope in his heart, but by the increased productiveness and the increased prosperity that would come from his renewed energies bring increased prosperity and plenty to every class?

During the last few weeks we have been engaged in the consideration of the appropriation bills for the annual support of our Army and Navy. These bills together carry about a quarter of a billion dollars, and during their consideration a determined effort was made by some who come from the manufacturing and commercial centers to increase the expenditures and thereby add to the burden of the American taxpayers under the specious plea of national defense.

Mr. Chairman, I am for national defense, but I do not think that the requirements for national defense are limited to an adequate Navy. I am not afraid of the foe from without, with whose threatened and imaginary invasions gentlemen try to excite us into spending increased millions for our military establishment; but I do, as one who loves his country and gives some thought to its continued prosperity and safety, have fears of the canker and deterioration that always flow from economic distress and industrial injustice. No one honors more than I do the men who have fought our battles upon the land, upon the sea; no one has a greater pride in the valorous achievements of the American soldier and sailor, to whom we affectionately refer as "the men behind the gun"; but there are others of whom I think and for whose welfare I plead and in whose welfare and prosperity are wrapped the safety and security of this Republic, and they are not "the men behind the guns," but are

"the men behind the plows" and "the men in the overalls." [Applause.]

Mr. Chairman, during the past 20 years we have spent upon the American Army and Navy something less than \$5,000,000,000, and as compared to this sum, all of which has been wrung from the overburdened taxpayers of this land, the few millions that have been spent in aid of the American farmer seem insignificant and small. While these expensive battleships, each costing many millions, and our standing Army are maintained in idleness and their officers live a life of luxury and ease the American farmer, stooped beneath the burden of his load, by his taxes supports them, and at the same time feeds and clothes the Nation, and with his surplus furnishes us with a balance of trade in our dealings with the nations of the earth.

Is it not time we did something to lighten the burden of the American farmer and equip him with such credit facilities as will enable him to more easily develop the agricultural resources of the country? Is it not true that should war come, the battleships and the standing armies alone will not constitute our defense, but our real defense will be the farmer and his fellow toilers, who in every age and in every land and in every period of the history of this Republic have fought the Nation's battles and borne the brunt of war? [Applause.]

I say, it is the farmer who not only in time of peace brings the balance of trade to our shores, but it is the farmer who in time of war bares his breast in defense of the country he loves. It is the farmer's wife and the farmer's mother who kisses her stalwart husband or her bright-faced boy good-by, and facing the heartache and the toll, the loneliness and sorrow, the danger of the isolated country life, tells him to go down to the red, red field of battle and, if need be, give his life for the common weal. The hand that guides the plow in time of peace is the hand that grips the musket in time of war. [Applause.]

John Trotwood Moore has eloquently described this hand. He says it is a hard hand, it is true, but it is faithful and honest; and in its rough grip more gentleness dwells, more truth and honor lie, than in many another of softer grip and finer strain. It may be rough like the roots of the oak, twisted and hardened, gnarled and knotted in the primal fight for life with the elements of nature, but unbeautiful as it is, it has borne its full burden in the fight of civilization and the battle of the world. It may be misshapen, and its joints large from strain and toll, and the veins may run through it like the channels of a stream deep cut, and it may be curved in like the turn of a plow handle, and shaped like the grip of an ax helve, toil worn and scarred. It is this hand that not only each year feeds and clothes our vast population, but it is this hand that lights the fires in every forge, turns the countless wheels of industry everywhere, girds the continent with glittering threads of steel and hurrying steeds of fire, makes white the seas of earth with sails of commerce, and pours upon all lands and all peoples in every human pursuit the blessings and prosperity which its toll has wrought from the earth. [Applause.]

Mr. Chairman, it is for the purpose of making the tasks and the burdens of this hand lighter that I plead for rural-credit legislation. Not only does justice to the farmer demand that you grant him this relief, but the prosperity and future of this Nation require that you no longer permit him to be handicapped by the financial shackles that now bind him. Will you by the enactment of this legislation break those bonds and set him free? [Applause.]

Mr. HARDY. Mr. Chairman, I reserve the remainder of my time.

Mr. MANN. I yield 15 minutes to the gentleman from Michigan [Mr. J. M. C. SMITH].

Mr. J. M. C. SMITH. Mr. Chairman and gentlemen, I expected to have an opportunity to address the House yesterday, and what I have to say is more germane to the subject which was then under consideration. I wish now, in the brief time allotted to me, to call attention to the question under consideration yesterday—the purchase of ships for a merchant marine. These ships are only to be used in foreign trade and with our insular possessions. The bill has no semblance to one for a merchant marine, and the ships purchased are to revert to the Navy two years after the termination of the European war.

I have no quarrel with any man whose business is that of importing and exporting. If a man is engaged in foreign trade, he is directly interested in it and certainly would be in favor of more ships. Neither have I any quarrel with those who are in favor of more ships for the exportation of American products. But I think I can safely say that no prudent business man in his own business would at the present time engage in the foreign shipping trade. Least of all would he purchase ships for that purpose under present conditions. In the first place, our relations are such that no man would want to engage in



that business on his own account, because it is especially hazardous. It was said by one of the speakers here yesterday that we want more ships in order to reduce ocean freight rates. Every man who has followed current events knows that the rates of ocean freights have not been increased because of the lack of ships, but because of the hazardous character of the business. We have no dearth of ships. At the present time we are exporting almost double the amount of our former previous exports, and no one is complaining that there are not enough ships.

Mr. McKELLAR. Will the gentleman yield?

Mr. J. M. C. SMITH. For a question.

Mr. McKELLAR. Does the gentleman understand that the German lines—the North German Lloyd and the Hamburg-American Line—have taken off about 200 ships, the most of which were used in American shipping?

Mr. J. M. C. SMITH. That may be. A gentleman stated here yesterday that some ships are making 100 per cent a year. When he said that I thought of the *Titanic*, which, having cost millions of dollars, went to the bottom on her first trip. I thought of the shipping upon our own Great Lakes, which for two years has been almost at a standstill, and the least lucrative employment in which you could engage capital. I say that under present conditions no prudent man would embark upon the business of ocean transportation: First, because of the fierce competition of foreign countries which have thousands of ships operated at less cost than we can operate them; second, because no man would sell bonds given on his property for money to buy ships to run on a venture; third, because engaging in shipping at the present time would be considered an unfriendly act by at least one of the belligerent nations. We have heard complaints from the very nations that purchase our products and materials. And I have heard the partisans of the belligerents complaining about shipping the very products that we are now shipping, while by this bill we are being invited to engage in what I consider a hazardous and precarious undertaking. And still those people that have taken sides in the great struggle that now engages the nations of the Old World are anxious to purchase ships, and for what? In order to aggravate and to increase the very danger that now threatens us. I say that these people who are filing resolutions and sending us petitions asking Congress to prohibit the shipment of munitions of war ought to be a little careful how they favor shipping bills, when they are complaining about our neutrality and our absolute right as a neutral Nation to ship our products of field and factory. I say that we must be careful, and the last thing under present circumstances that we ought to undertake as a Nation is to engage in foreign shipping under any circumstances. England has always been our best customer. She has taken of our products to the value of \$600,000,000 annually. Germany has taken of our products to an average balance of \$200,000,000; but is there any man who would say that we should engage in shipping when they are declaring even food products, raiment, and I do not know but drugs, contraband of war?

It seems to me that if we wish to be neutral and absolutely stand upon our neutrality—and I certainly want to be as friendly to Germany as I am to any of the other countries, although I may have my preference—we should sell our goods in our own markets and let them take them, if they wish, from our own doorsteps and from our own factories and from our own warehouses. In that way we can preserve our neutrality, but we see our friends here who are filing resolutions, and we know that some of those friends who are sending us petitions would have us buy ships and engage in a most hazardous business, incurring, if you please, not only the unfriendliness of these countries but absolutely inviting war, and I am for peace. [Applause.] Munitions of war means anything that can be used for the prosecution of war or to support war—foodstuff and clothing. When I say I am not for entirely shutting up our factories, and when I say I stand upon the law of nations which allows a neutral country to ship our products of farm and factory to neutral nations, then some gentleman arises here and asks me about the humane side of it, and wants to know if I am in favor of selling them and shipping over there bullets and powder. You have all had the same question asked you, and I look at that man. Of course nobody is in favor of slaughter. I wish the war would stop to-day; this very hour; and I wish that we might not send over there bullets or powder; but I would ask those same gentlemen who are so strong for our neutrality and who do not want us to do any business, who wish us to shut up our shops, if they are in favor of the greatest gun factory in the world shutting up? If they will stop making powder and bullets in England and if they will stop making powder and bullets in Germany, then let us by all means also stop.

Mr. BURKE of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. J. M. C. SMITH. Yes.

Mr. BURKE of Wisconsin. Does the gentleman contend that our manufacturers of war ammunition and material have any vested rights in the continuance of foreign wars?

Mr. J. M. C. SMITH. No; I do not claim that they have.

Mr. BURKE of Wisconsin. Let me ask the gentleman another question. If the exportation of American manufactured war material and ammunition were prevented, does the gentleman think that the American manufacturers of such material have any right to insist that the foreign war shall be continued for their benefit?

Mr. J. M. C. SMITH. No.

Mr. BURKE of Wisconsin. Are they in any worse position than if the war had not occurred and peace had continued?

Mr. J. M. C. SMITH. I do not think it puts them in any worse condition, but under every law of nations we have a right to do just what Germany did in sending guns and bullets and powder over to Mexico, when we sent our whole Army and Navy down there to stop them, and just as England and Germany did in the Russo-Japanese War, running their factories night and day, on three shifts, to furnish powder and bullets. I am not standing here saying that I am in favor of furnishing bullets and powder to any other nation. Please do not interpret me as saying that. I am just as friendly to one side as to the other. If there is a man who stands neutral, if there is a man who wants to be fair and do justice to each side, if there is a man who has the love of country at heart, if there is a man who wants to keep his country out of trouble and keep out of war, then I am that man. [Applause.] But as a Nation we have a right to exist. No one has ever contended that because two nations went to war we must shut up our factories, and that we must not export food or clothing or drugs, or that we may not send our products to even neutral nations.

Mr. BARTON. Will the gentleman yield?

Mr. J. M. C. SMITH. Just for a question.

Mr. BARTON. I would like to ask the gentleman if he does not discriminate and find a difference between sending bread and bullets?

Mr. J. M. C. SMITH. Oh, yes; but please remember that as a nation we are not making these and as a nation we are not sending them over. In order to be perfectly neutral the gentleman will please understand what my position is, that as a nation we ought not to buy boats to ship products to these nations that are already complaining because individuals and private companies are shipping foodstuffs even to neutral nations. How are we as a nation to escape censure when an individual can not? What do we want of these boats at the present time? Let us avoid even the appearance of evil and not buy ships.

Mr. Chairman, born in one night in a Democratic caucus ending at 2.30 o'clock in the morning, bound by a caucus rule attended only by Democrats, and by them brought into the House next day for immediate consideration, is this bill providing for the appropriation of \$40,000,000 of the American people's money out of the Public Treasury of the United States for the purpose of embarking in a scheme of purchasing ships.

There have been no public hearings or opportunity given or afforded to determine the necessity of this expenditure for purchasing ships. The bill was not reported by any committee favoring this expenditure. It was brought before the House by a special rule allowing but three hours on a side for general debate, which, if equally divided between the 424 Members of the House, would not allow one minute to each Member. Bound hand and foot by this caucus rule, the Members are expected to vote blindly for this measure about which they know little or nothing.

It is proposed by this bill that the United States shall form a corporation in the District of Columbia consisting of the Secretary of the Treasury, Secretary of Commerce, and three other members to be appointed by the President, with the consent of the Senate, at a salary of \$6,000 each per annum, having for its purpose the right to expend this \$40,000,000 in the purchase or construction of vessels or boats to carry mail, passengers, and freight between the United States and its insular possessions and foreign countries. The rates are to be fixed and determined by the shipping board.

This is a very large sum of money. The Treasury at this time is greatly depleted. To supply means to pay the running expenses of our Government it was recently found necessary to levy what is termed an emergency revenue tax to raise \$100,000,000 annually. Appropriation bills have been cut to the lowest possible amount. Internal improvements have been held up or denied. The receipts of our Government have been falling off, and the sale of bonds and other ways and means are



contemplated to procure money to bolster up our depleted Treasury.

In order to raise this \$40,000,000 for the purpose of embarking in this shipping business, it is proposed by this bill to use \$10,000,000 of the people's money now in the United States Treasury and by selling Panama bonds therefor. I call attention to the fact that these Panama bonds were issued for the special purpose of constructing the Panama Canal and not for the purpose of buying ships. To use them now in the latter way would be diverting them and defrauding the American people, who favored their issue because of the great, renowned, national project of constructing our great canal. I am not one of those who favor mortgaging and bonding the present or future where it can possibly be avoided. In times of peril, great stress, or public need, it may become necessary, but in the face of present conditions that necessity does not exist.

With these ships it is proposed to bring in products of foreign countries as well as export our own. There is now interchange of commerce, subject to the rules of war, with every nation on earth. They have ships by the thousands. This bill does not even have the merit of requiring these Government ships to be built at home or to be purchased from American owners. That is left discretionary with the board. It does not have the merit of providing that they shall be manned with American seamen and American labor. Nor does it have the merit of saying that they shall engage in our American coastwise trade. The bill provides solely for insular and foreign traffic.

To me, as a business proposition, this scheme for the purchase of ships is one wherein a business man conducting his own private business might be led to purchase foreign ships because they can be built in foreign countries for nearly one-half of what they can be built for in this country; or a business man conducting his own business might equip these ships with foreign seamen because they can be hired for one-half the wages we pay our American seamen. A business man would also look squarely in the face this fact before engaging in the shipping business on his own account, and that is that every foreign country gives great subsidies, amounting in some cases to millions of dollars, as national aid to companies and ships engaged in foreign commerce.

By this bill, if we purchase ships, we take the people's money out of the Treasury to buy them with. After that we must keep up the ships at a great expense. They are subject to great depreciation. And the cost of upkeep and operating them will be more in the hands of the Government than in the hands of private parties.

I recall distinctly to mind when first coming as a Member to this House with what great earnestness we were urged to pass certain measures. At that time this country was enjoying great prosperity. The election had been won because of the high prices of foodstuffs and the necessities of life. The country was everywhere highly prosperous. Labor was employed. And, although the people took stock in what the Democratic Party stated in making its campaign, those statements, promises, and pledges have not worked well, and the people now will be slow in taking stock in further declarations, promises, theories, and proposals of the Democratic Party.

We were first told the wonders of a competitive tariff enacted along competitive lines. This act has proven a complete failure. It brings neither prosperity nor revenue. Then we were told it lacked the working tools to put it into successful operation and that it would succeed better after the enactment of an income tax and a banking and currency law. Then we were told of the new freedom and that the wheels of prosperity and the hands of industry were fettered by greedy trusts; that we needed a Federal industrial or trade commission. They said give us these tools and "business will bloom and blossom as the rose," to use the expression of our illustrious Speaker. But now, lo, with all these, and with the impetus of a great war, our industries have slackened, business stagnated, and labor remains unemployed. And here comes the slogan, "Give us ships."

Now, of all times, is not the time to make experiments. There are plenty of affairs of state needing our consideration which would make for our betterment and better conserve our national welfare. To go into this scheme is especially hazardous. The people are not demanding this legislation. But they are demanding that we as their representatives shall so regulate and govern our national affairs as to leave us aloof from entangling alliances and win back that high standard of national prosperity which makes for our advancement and happiness, such as we had prior to the present administration and under a protective tariff.

I do not want to be classed as opposed to an American merchant marine. As a national policy I favor it. But from my

personal viewpoint the way to reach it is to enter into competition with foreign countries by doing, as a Nation, what foreign countries do—compete as a Nation with other nations. Do not as a Nation go into the boat-building and boat-running business with private owners. Let our ship companies and private owners compete with the ship companies and private owners of other countries, and we, as a Nation, lend them the support given or better support than that given, by foreign nations to theirs. Then American enterprise, industry, efficiency, skill, and intelligence will reap the same reward in its merchant marine that it does in competing with other countries in other endeavors. [Applause.]

Mr. MANN. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SAMUEL W. SMITH].

Mr. SAMUEL W. SMITH. Mr. Chairman, I make the same request, to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. BARTON].

Mr. BARTON. Mr. Chairman, it is to be regretted that on account of the drastic rule brought in yesterday we could not have the right and privilege that was given us under the Constitution, and which the people of this country expect us to have, in passing on one of the greatest problems confronting us to-day—the creation of a merchant marine.

Democrats have railed for the past decade against gag rule, but when they get into harness they bring in and adopt rules that are more drastic than the procedure under Cannon or Reed. A bill is brought in that has never received the consideration of a committee—ordered in by a caucus and forced through this body without even the privilege of amendment. The bill was not even the work of a secret caucus; it was not the work of the membership of this House; it was the work of the executive department, who brought it to you, and, like young robins, you closed your eyes and opened your mouths and swallowed, regardless of what was brought. By this rule you propose to discharge a committee that has never considered the bill. Your Committee on Rules attaches an amendment that has never been introduced in this House, and your drastic action forbids amendment and limits debate to six hours. Unless the people of this country have decided that a monarchical form of government is preferable to a republican form, they will never set their seal of approval upon such action.

This is a period of our Nation's history when we should, as representatives of the American people, talk, act, and breathe neutrality. We should not stand by watching the great struggle, proclaiming to the world we are neutral, wink the other eye, and ship guns, powder, shot, and shrapnel to the belligerents on either side of the contest.

John Bassett Moore says in his Digest of International Law, volume 7, page 748:

Much misapprehension as to the quality of the act of supplying contraband articles, such as arms and munitions of war, to the parties to an armed conflict has arisen from the statements so often made that the trade in contraband is lawful and not prohibited.

This statement, when made with reference to the preventive duties of neutral Governments, is quite correct, but if applied to the duties of individuals it is quite incorrect. The acts which individuals are forbidden to commit and the acts which neutral Governments are obliged to prevent are by no means the same; precisely as the acts which the neutral Government is obliged to prevent and the acts which it is forbidden to commit are by no means the same. The supply of materials of war, such as arms and ammunition, to either party to an armed conflict, although neutral Governments are not obliged to prevent it, constitutes on the part of the individuals who engage in it a participation in hostilities, and as such is confessedly an unneutral act. Should the Government of the individual itself supply such article, it would clearly depart from its position of neutrality.

GREAT BRITAIN RECOGNIZES THAT SUCH ACTS ON THE PART OF INDIVIDUALS ARE UNNEUTRAL.

April 23, 1898, Great Britain warned British subjects by proclamation against doing any act in derogation of their duty as subjects of a neutral power, or any violation or contravention of the law of nations, among which was enumerated the carrying of arms, ammunition, military stores or materials.

From the foregoing it appears that under general international law, as recognized by Great Britain itself, the act of our citizens in exporting arms and ammunition is an unneutral act. If our Government decides to forbid the commission of such unneutral act by its own citizens, can such action on the part of our Government be declared to be unneutral, since its object is to establish neutrality? It seems to me that with this falls the last argument of the opponents of the various measures pending before Congress designed to stop the export of arms and ammunition.

In this connection I desire to call attention to the further fact that there is now on the statute books of Great Britain an act



very similar in its wording to House joint resolution 377, conferring discretionary power on the King of England to forbid the export of arms and ammunition; also that nearly all the neutral countries of Europe have since this war began enacted such legislation; also that the German Government during the Spanish-American War stopped the export of such materials on a protest from our minister, Andrew D. White.

We are a Nation that profess peace, yet our present attitude is to place the dollar above the man. For commerce we would sacrifice all. Just to make profits for the manufacturer of instruments of war we refrain from placing an embargo on such munitions. We do not see the difference between bullets and bombs, bread and bacon; we do not see the difference between cannon and cotton. I can not understand this blindness, especially when Holland, Switzerland, Norway, and Sweden have placed humanity above commercialism and have declared an embargo on arms. Why, then, should not we who claim to be the leaders of peace follow their glorious example?

Why, then, should not we enact the resolution against shipping arms to the belligerents; postpone this shipping bill until the war is over and be neutral in the true sense of the word. This shipping bill in my judgment is but another method of injecting ourselves into the strained condition now existing. Who will argue that conditions are so imperative that we can not wait to build our ships until this great war ceases? What is behind this great pressure that is being used daily? The President vetoed the immigration bill on the theory that the people had not passed on it. Have the people passed on the Government buying and sending their ships into the troubled waters of foreign countries? Is not the demand from seaboard speculators and men who will have control of the shipping board instead of the people? What ships can we buy but interned ships? If these ships could be bought without a breach of neutrality, who would they carry freight to? You know, and I know, that only one of the parties to this great contest could be benefitted. Is this the reason for the great pressure? Is it in truth to reduce freight rates? Do you think that shipping risk now is no greater risk than before the war? If you are really so concerned about the freight rates, why so insistent that the railroad rates be increased? Why did not the administration insist on placing a railroad across this continent to prove railroad rates were higher, and help the farmer?

The main argument that is used throughout the discussion is, we want ships to reduce ocean freight rates. In the words of Representative Goon, of Iowa:

"I would be very glad to vote for a bill to bring about a reduction in those rates. How about that side of the Chamber, whose party in convention in Baltimore adopted a platform promising cheaper railway rates? In the Interstate Commerce case where the eastern roads were asking for an increase of 5 per cent the president of the New York Central lines testified that in 1913 that after setting aside all that was necessary for depreciation, and after setting aside \$11,000,000 to the surplus fund, they still had enough to pay 11 per cent on the entire capitalization of the road. The president of the Pennsylvania Railroad testified that in 1913, after setting aside a sufficient fund to cover all of the depreciation charges, they still had net earnings sufficient to pay more than 9.6 per cent on the total capitalization of the Pennsylvania Railroad. Yet, notwithstanding such magnificent earnings, the President of the United States on September 11 wrote a letter which appears in the New York Times of that date under the following headlines:

"President asks aid for railroads—Calls country's attention to the necessity of giving them every possible help—Finds their needs vital—In open letter to Frank Trumbull he insists their credits must be sustained—May seek rate increase—Reopening of interstate ruling of August 1 probably will be asked by eastern lines.

"The President says to Mr. Trumbull:

"Since you read it to me yesterday I have read again the statement you made on behalf of the committee of railroad presidents whom I had the pleasure of meeting and conferring with at my office. It is a lucid statement of plain truths.

"You asked me to call the attention of the country to the imperative need that railway credits be sustained and the railroads helped in every possible way, whether by private cooperative effort or by the action, wherever feasible, of Government agencies, and I am glad to do so, because I think the need very real.

"I am confident that there will be active and earnest cooperation in this matter, perhaps the one common interest of our whole industrial life.

"Cordially and sincerely, yours, WOODROW WILSON.

"Active cooperation! Active cooperation with whom? With whom could the President cooperate? Who had the power to grant the increase? The Interstate Commerce Commission, and the Interstate Commerce Commission alone. The President wanted freight rates increased for railroads that were earning 11 per cent in 1913 after they had paid all operating expenses, charged off all that was necessary for depreciation, and set aside \$11,000,000 for the surplus fund. And yet you gentlemen

on that side now claim that you are in favor of bearing down on the trusts and putting them out of business and of bringing lower freight rates to the country." [Applause on the Republican side.]

It is said that we can not get ships to take our produce, yet during the month of December, 1913, we sent abroad 5,000,000 bushels of corn, wheat, oats, and barley, and in December of 1914, 41,000,000 bushels.

This is neither a Government ownership nor a private business. It permits private business to use Government money and credit for their exploitation, while the Government controls a majority of the stock, yet we know that fine, fat berths will be created for men whose main incentive and business will be to hold the job. Then after it is developed, if it should be, the bill proposes to lease the line to private interests—neither Government ownership nor private ownership—the Government a partner for its credit and money and the private interests for what they can make out of the senior partner.

I stand for a merchant marine; but the kind I stand for is ships built in American dockyards by American men, manned by American seamen, and floating an American flag.

The conditions are not so imperative that we can not wait until we build these ships, thus avoiding the danger of purchasing interned ships and sending them into troubled waters. In the interests of peace and neutrality let us pass the resolution against the shipment of arms and ammunition. Let us wait until the war is over before buying and building ships and embarking into new and untried waters, and if there are a few shippers and exporters who want to use the Government money to send their material abroad let them wait until this war concludes, and when we build our merchant marine let us build it without petty partners. In the spirit of peace and neutrality I shall vote against the measure.

Mr. MANN. Mr. Chairman, I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, even a Democratic House is occasionally, unintentionally and unconsciously, logical. Yesterday the Democratic membership of the House went through the farce of assuming to launch on the high seas a merchant marine. To-day we passed a bill providing for them when they shall be shipwrecked. [Laughter on the Republican side.] Yesterday we were engaged in the barren enterprise of acting as a recording machine for the Presidential will. To-day we are proposing to search out the barren bottoms of the coasts of Texas. Yesterday witnessed a humiliating surrender by the House of Representatives of its dignity, its independence, its judgment, and its will to the imperious mandate of the President to a degree and an extent hitherto unknown, even in the unparalleled subservency of this Democratic Congress. The Democratic majority of this House has heretofore yielded to the dictation of the President as to essential and important details of legislation, but not until yesterday did the majority completely surrender the views and opinions of its membership as to the entire plan, scope, and purpose of a fundamentally important proposition.

But this complete and humiliating surrender of judgment and opinion by the majority in a matter of paramount importance does not of itself embrace the full measure of the degradation of the popular branch of the National Congress. Added to that surrender of judgment and opinion was the voluntary abdication by the majority of the functions of this body as a branch of the legislative machinery of the Government. That procedure was for the sole purpose of making a record in support of the dogmatic demands of the President, without hope or expectation that it would result in the enactment by this Congress of the legislation passed upon.

It is bad enough, heaven knows, when the majority of a legislative body, under the whip and spur of executive demand, agrees to make a record which does not express the views and opinions of even a majority of the majority; but it is still worse when this surrender is made, and this record falsifying the judgment of the House is agreed to mainly and essentially for the purpose of saving the face and attempting to sustain in public opinion the dogmatic judgment of the Chief Executive.

Mr. HARDY. Will the gentleman yield for a question?

Mr. MONDELL. I will.

Mr. HARDY. Would it not save a heap of time and vocal effort if quite a number of gentlemen who are accustomed to repeat the same thing about the orders from the White House and the caucus would get together and formulate a complete statement and print it on a card and hold it up and say, "I want to say these same things that have been said before."

Mr. MONDELL. Well, I do not know but what it would be a good thing to print not only on cards but on the walls of this Chamber, inside and out, certainly to print on the walls of our



hearts, a warning of the effect on free government of the everlasting domination of one man. [Applause on the Republican side.]

Mr. HARDY. Will the gentleman yield for one further question?

Mr. MONDELL. I do.

Mr. HARDY. Does the gentleman think that after dozens of his colleagues have made this statement and nobody has paid any attention to it that he must repeat it in order to get the impression conveyed?

Mr. MONDELL. Oh, I do not think my colleagues have made this statement in just the way I have made it. Possibly none of them has made it quite as forcefully as I am trying to make it [applause] when I shall have said what I am about to say.

Mr. HARDY. The gentleman is of the opinion that he had to make it plain.

Mr. MONDELL. And the gentleman is of the hope that it may finally find lodgment in the heart of his friend, the gentleman from Texas.

Mr. HARDY. Will the gentleman permit just one further question?

Mr. MONDELL. I will.

Mr. HARDY. I regret it, but I am fair to say that the gentleman can not speak the English language any plainer than all the Members on his side who have spoken the same thing heretofore.

Mr. MONDELL. Well, I am glad that some of these statements of the dangers to this House and to this Government which flow from this usurpation of the Executive and domination over the legislative branch have at last come to the attention of the gentleman from Texas, if they have not as a matter of fact had any influence upon him.

Mr. HARDY. Will the gentleman pardon just one further observation?

Mr. MONDELL. Just a moment. My time flies. I have a few observations I would like to make.

Mr. HARDY. We are sailing along easily. I just wanted to say that it seems to me that I, like everybody else, could repeat it as readily as the Lord's Prayer.

Mr. MONDELL. I want to say another thing while the gentleman is saying that, that so far as I am personally concerned I am not criticizing a Democratic President any more sharply than I would a President of my own political faith—

Mr. WALSH. Will the gentleman yield?

Mr. MONDELL. Because I believe, as profoundly as I believe anything on earth, that if we shall continue in this Government, increasingly as we have for a few years past, the control and domination of the executive over the legislative branch the day will come when we can not be as proud of our country as we have been in the past.

Mr. WALSH. Did the President ever dictate anything to the gentleman from Wyoming?

Mr. MONDELL. The President?

Mr. WALSH. Yes.

Mr. MONDELL. Well, the present President has not honored me by expressing his will or desire to me in any way at any time.

Mr. WALSH. Does the gentleman from Wyoming know of any Member of the House that the present President has ever dictated anything to?

Mr. MONDELL. Oh, if the gentleman will please drop that.

Mr. WALSH. I ask the gentleman the question. Do not evade it.

Mr. MONDELL. It is bad enough to have everybody know. The bootblacks and the newsboys—

Mr. WALSH. You did not answer the question.

Mr. MONDELL (continuing). The charwomen and all other sundry and divers classes of persons know of the domination of the President over Congress. That is bad enough, but for a gentleman who knows all about it to pretend that it is not notorious is a shrieking farce, of which the gentleman ought to be thoroughly ashamed. [Applause on the Republican side.] If you must be bound, if you think that your duty to your party compels you to do it, be manly enough to admit it.

Mr. WALSH. I was just going to say that I hope to live to see the day when Members of this House will think first of their country as Americans rather than for the welfare of their party as politicians.

Mr. MONDELL. Well, I think I have been here longer than the gentleman has, and I think the Members of this House do in the main think first of their country and of their duty, but unfortunately we are none of us perfect; unfortunately we are all subject to temptation; and unfortunately the Executive is in a position to tempt and to coerce. I do not know, and I

shall not judge, who is most to blame—the tempter or the tempted.

Mr. WALSH. Does the gentleman think a patriot would make the speech that the gentleman from Wyoming has just made and the statements he has made in the last few minutes?

Mr. MONDELL. I will leave that to the judgment of the people who sent me here.

Mr. WALSH. My judgment is that he would not.

Mr. MANN. He would not want to leave it to the judgment of the people who sent the gentleman from New Jersey here.

Mr. MONDELL. The judgment of the people who left him at home.

Mr. FESS. The gentleman from Texas asks if the printing of certain utterances would not save time. I would like to know if it would not save time to close the doors of this House and put on them, "Closed until further orders"?

Mr. MONDELL. If we did not save time, we would save the pollution of the atmosphere of the corridors from the sulphurous expressions of the gentlemen who voted one way and believed and talked another. [Laughter.]

Mr. HARDY. Will the gentleman yield for just one suggestion?

Mr. MONDELL. I am afraid the gentleman from Illinois [Mr. MANN] has no more time to yield me, and I have a few words I would like to say. But I yield to the gentleman if he wants to ask me a question.

Mr. HARDY. I just wanted to know if it would not have been quicker if the gentleman from Ohio [Mr. Fess] and the gentleman from Wyoming [Mr. MONDELL] as to these observations had not held up the card that I was talking about.

Mr. MONDELL. It might have pleased the gentleman from Texas, who seems to be restive and irritated in the face of the reiteration of these truths, but our object and intent is to make him as uncomfortable as we can in the hope it may remind him of his duty.

Mr. HARDY. Will the gentleman pardon me just a moment? I never was in a better humor nor more pleased than I have been at the continued repetitions of the gentleman from Ohio and the gentleman from Wyoming.

Mr. MONDELL. I am delighted. I still have hope for the gentleman from Texas. [Laughter.]

Mr. FERRIS. Mr. Speaker, I was fearful that I did not grasp the force of the suggestion of the gentleman from Ohio. He made some remark about closing the doors. He can go on and on outside of the Hall as well as in, for I heard him a moment ago outside of the Hall make a speech. So the closing of the doors of the House would not make any difference.

Mr. MANN. Why does not the gentleman from Oklahoma follow his example and make a good speech?

Mr. MONDELL. Whatever may be said about the remarks of the gentleman from Ohio [Mr. Fess], what shall we say of the howling silence of the gentleman from Oklahoma on the shipping bill yesterday? [Laughter.]

Mr. FERRIS. Will the gentleman pause for a reply?

Mr. MONDELL. Well, if the gentleman insists.

Mr. FERRIS. I believe that some mathematician more competent than myself made the computation that there was about 1.7 minutes apiece, and as the Republican side brought about 15 or 17 roll calls, and each one talked as long as time would permit, there was not a chance for any of us to speak.

Mr. MONDELL. The roll calls did not reduce the time any. There was plenty of opportunity, but there was mighty little inclination on that side. I tried to get in, but could not. I am making a few observations now.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I have about a 10-minute speech I would like to make.

Mr. MANN. If you make the speech, all right.

Mr. MONDELL. Will you yield me 10 minutes?

Mr. MANN. I will yield to the gentleman 10 minutes, if he will use the time.

Mr. MONDELL. No one expected the bill that was before us yesterday to become a law. A majority of those who voted for it hope and pray it never will, and their hopes and their prayers will probably be answered and realized, thanks to the patriotism and the staying qualities of the minority in another body. But the bill had failed in another body and in spite of the most persistent touting, advertising, and promoting by the administration, backed and supported by selfish and sinister influences, it has failed utterly to command the support of any considerable proportion of the American people. In this state of affairs, desperate from the standpoint of the administration, an obsequious majority in the House of Representatives was called



upon, coerced and cajoled into not only surrendering its views and opinions but into surrendering the dignity, the prerogatives, and the functions of the House that they might be used and utilized for the purpose of recording a decision supporting the presidential mandate—a decision which did not reflect the judgment of the House and which is not expected to be crystallized into law.

Mr. Chairman, I do not make these statements lightly or without reason, for it is notorious that a majority of the majority were not in their hearts favorable to this legislation, and, to their everlasting credit, none of the Republican minority were for it. It is known of all men this legislation has received no indorsement from any important political organization; that it was not sought, as it is not supported by any considerable number of people anywhere. It is understood by all who take the trouble to inform themselves that but for the powerful, persistent efforts of the administration it never would have been seriously considered in either branch of Congress.

Those who reluctantly and shamefacedly supported it excused themselves on the plea that there is an emergency which suggests if it does not justify it. There is, it is true, an unusual and abnormal condition caused by a great war, affecting our ocean-borne commerce on the Atlantic, a condition whose most striking characteristic just now is an unprecedented export of foodstuffs, attended by a tremendous rise in food prices, which just at this time renders the majority of people infinitely more interested in the checking than in increasing exports.

But assuming there were, which there is not, a condition with regard to our export trade harmful to a considerable number of our people, would that constitute a condition that would suggest or warrant the inauguration of doubtful measures of relief at the expense of all our people? If, with a depleted Treasury and a bond issue imminent to meet the ordinary and necessary demands upon the Treasury, we seek to relieve the needs of the American people, the great and pressing emergency for aid and assistance is to be found among the unemployed millions stranded through Democratic mismanagement; these sufferers from Democratic policies need our help rather than those who would further deplete our already sadly depleted reserves of foodstuffs and those who in their greed demand more and swifter ships to carry the implements and instruments of carnage to the blood-stained battle fields of Europe.

If there were in fact a great shortage in ships, checking the reasonable export of our products, and by reason of high rates unduly depressing their price, which conditions do not exist, relief can not be hoped for or expected in the slightest degree through any such measure or proposal as this, or at least not in a degree at all corresponding or commensurate in benefits with the burdens that all the people would be called upon to bear.

Over-sea rates are high, it is true, but not the slightest evidence has been produced tending to show that they are unreasonably high, considering the inevitable delays, due to the congestion of foreign ports and the increased costs and risks, which must be borne by the steamships proposed by this bill as they must by other and private lines. It follows, therefore, that unless it is proposed that the Federal Government shall bear a large portion of the cost of transportation the lines proposed could not make lower rates than the lines now operating. If that is the intent—that the Government shall bear the losses incident to lowering rates below cost of carriage—then the proposition of inviting private capital to participate with the Government in this undertaking is as much of a farce and a fraud as the procedure of passing the bill through this House.

But assuming, for the sake of argument, that we could, without a violation of neutrality involving the probability of war, secure ships not now in use to add to the ocean carrying tonnage of the world, and assuming that eliminating all expectations of contemplated or suggested private participation in this enterprise we should, at vast expense to all the people, reduce the cost of ocean freights and ocean carriage to certain shippers, who would benefit thereby?

The sponsors for this legislation have sought to create the impression that American producers would benefit in advanced prices for their produce to the extent to which ocean freights might be reduced. The fact is that under present war conditions, with freights from all parts of the world to the theater and vicinity of the European war equally advanced, present high ocean rates have but little to do with the price which the exporter on this side of the water receives; still less to do with the price which the producer received, is receiving, or will receive. As an illustration, it is claimed that in six months the trans-Atlantic rate on wheat has advanced from 5 to nearly 20 cents per bushel; in the same period of time the cash price

for wheat in this country has advanced between 70 and 75 cents per bushel.

Assuming again, for the sake of argument, that through the medium of this legislation, and at vast cost to the National Treasury to be paid by all the people, the trans-Atlantic rate on wheat might be restored to the rate of six months ago, or reduced 15 cents per bushel. Admitting the claim of the proponents of this measure that such a reduction would be reflected in the price of wheat in this country, we would then have spent millions of the money of all the people for the purpose of benefiting and enriching the wheat dealers and speculators to the tune of 15 cents per bushel on all their holdings in order that they might, in turn, lay an added burden on all the people of the country of a penny or two a loaf upon all their bread.

But, Mr. Chairman, there are no ships obtainable not now actively engaged in commerce except the interned ships of the North German Lloyd, and around these and their suggested purchase and utilization, out of the money provided for by this bill, hangs the dark suspicion of ulterior and sinister motive that clouds and lends nauseating aroma to the atmosphere that surrounds the genesis of this legislation. The purchase of those ships would inevitably embroil us with the allied powers of Europe, and their use would be likely to plunge us in war. Other than these, there are no ships not now actively engaged in commerce, and therefore no others that we could secure for the purpose or with the effect of adding to the available tonnage of the world.

Mr. Chairman, to sum up my opinion of the acts and attitude of the House to-day, I would say that it was a disgraceful surrender by the majority of their will and opinion to the mandate of the President; that it is a lamentable and almost unbelievable abdication by the majority of the legitimate lawmaking functions of this body to the purpose of recording a vote with a view of saving the face and patching up the prestige of the Chief Executive.

As to the measure itself, if it were actually put in operation in the only way that can increase the world's ocean-borne tonnage, it would constitute a gross violation of neutrality and be likely to plunge us into war. Assuming we were to adopt so untenable an attitude and invite such frightful risks, no benefits could flow to anyone except at a cost to all the people out of all proportion to the benefits.

The benefits, if secured, would in the main inure to favored shippers, largely of war material and of agricultural produce, the propriety of the continuation of the export of which is being questioned by many people. Finally, if the benefits to the producer, claimed by the proponents of the measure, were secured through violation of neutrality, at risk of war, and at great cost, the entire Nation, and particularly the poor, would be compelled to bear the burden of the increase in the advanced cost of living. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MANN. Mr. Chairman, I ask that the bill be read.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of Commerce be, and he is hereby, authorized and directed, upon the request of the governor of the State of Texas, to assign such officers, experts, and employees of the Coast and Geodetic Survey and of the Bureau of Fisheries as may be necessary to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas, including the compilation of the results of said survey for publication, and for this purpose he is authorized to employ in the District of Columbia and elsewhere such technically qualified persons as may be necessary to carry out the purposes of this act.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 1, after the word "publication," insert the words "at a total limit of cost of \$10,000."

Mr. HARDY. Mr. Chairman, I think that amendment is wise and should be accepted, and I am willing, in behalf of the committee, to accept it.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.



Mr. STAFFORD. I rise for the purpose of securing information. Is it contemplated or is it regarded as feasible to inaugurate a survey for the determination of rocks and barren bottoms along the seashore with the idea of propagating any kind of animal life?

Mr. HARDY. Yes; with the idea of propagating oysters.

Mr. STAFFORD. Are oysters generally lodged on bottoms of that kind or any such kind of foundations?

Mr. HARDY. We passed a similar bill with reference to the coast of Maryland, with a view to making a survey and familiarizing the authorities with the proper steps to be taken in order to renew the oyster beds, which had been largely diminished and depleted, and it is a food proposition in this case for those people down there.

Mr. STAFFORD. Has that investigation resulted in extending that work so that it is regarded as feasible to have this oyster industry founded on rocky and barren bottoms?

Mr. MANN. Oysters are planted, you know, and this is to see if the planting is feasible on those bottoms.

Mr. STAFFORD. I did not know that they could be planted on rocky or barren bottoms.

Mr. MANN. "Barren bottoms" in that connection means simply that they have no oysters on them now.

Mr. STEPHENS of Texas. Mr. Chairman, if my colleague will allow me, I wish to say that oyster farming is one of the well-established industries that we have in our State of Texas.

Mr. STAFFORD. The gentleman does not furnish any information that I did not have before. I wanted to ascertain if it were practicable to raise oysters on bars and rocks, and particularly on barren rocks?

Mr. HARDY. They do on the Chesapeake.

Mr. STAFFORD. That is not an answer to my question either. I am aware of the fact that they raise oysters on the Chesapeake as well as on the Gulf, but my question is whether it is practicable to plant oyster beds on rocks.

Mr. MANN. Those are the places where they do plant them.

Mr. PAGE of North Carolina. Yes. It is in such places that they plant them.

Mr. STAFFORD. I thought they were best grown on a soft bottom rather than on a rocky surface.

Mr. MANN. No. They cling to something.

Mr. HARDY. The gentleman from Wisconsin is like myself in that I am a highland man.

Mr. STAFFORD. Well, I have received information from a gentleman who knows something.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 2. That the Coast and Geodetic Survey and the Bureau of Fisheries be, and they are hereby, authorized and directed to expend, under the direction of the Secretary of Commerce, a sum of money hereafter authorized to be appropriated not exceeding \$10,000 in carrying out the purposes of this act, which amount is to be available until used.

Mr. HARDY. Mr. Chairman, the amendment adopted to section 1 would render section 2 unnecessary and superfluous, and I therefore ask that the bill be amended by striking out section 2.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] moves to strike out section 2. The question is on agreeing to that motion.

Mr. McLAUGHLIN. Mr. Chairman, I would like to be recognized for a moment or two for the purpose of asking the gentleman from Texas [Mr. HARDY] a question. Is this to be a permanent law, on which an appropriation can be hung from year to year?

Mr. MANN. It is limited to \$10,000 as a total.

Mr. McLAUGHLIN. I asked that because in the framing of the annual appropriation bill for the Department of Agriculture money has been asked for by one or more bureaus for the purpose of engaging in some investigations of that kind.

Mr. HARDY. The amendment made a moment ago at the instance of the gentleman from Illinois, which was plainly put in section 2, was to limit the total expense that might be incurred under this bill to \$10,000.

Mr. MANN. And that is to be appropriated hereafter.

Mr. HARDY. Yes.

Mr. McLAUGHLIN. If this bill is passed, then, and the sum of \$10,000 is used, this bill will have served its purpose and die?

Mr. HARDY. It will be at the end; yes.

Mr. McLAUGHLIN. It can not be used as the basis for an annual appropriation hereafter?

Mr. HARDY. Not at all.

The CHAIRMAN. The gentleman from Texas moves to strike out section 2. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 3. That this act shall take effect from the date of its passage.

Mr. MANN. Mr. Chairman, I move to strike out section 3. That is not necessary.

Mr. HARDY. It would go into effect at once anyway?

Mr. MANN. Yes. The department that prepared this did not know.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out section 3. The question is on agreeing to that motion.

The motion was agreed to.

Mr. HARDY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. UNDERWOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration Senate bill 3362, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any one of the amendments? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HARDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. HARDY. Mr. Speaker, I wish to state that the Committee on the Merchant Marine and Fisheries does not desire to call up any other business to-day.

#### LEAVE OF ABSENCE.

Mr. HENSLEY, by unanimous consent, was granted leave of absence, indefinitely, on account of sickness in his family.

#### EXTENSION OF REMARKS.

Mr. HULINGS. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech made by the Hon. JULIUS KAHN at Arlington on the occasion of the anniversary of the sinking of the *Maine*.

The SPEAKER. The gentleman from Pennsylvania [Mr. HULINGS] asks unanimous consent to print in the RECORD a speech made by the gentleman from California [Mr. KAHN] on the 15th. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CURRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

#### CERTAIN CLAIMS OF NORTH CAROLINA—CHANGE OF REFERENCE.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that H. R. 21452, which has been referred to the Committee on Claims, be recalled from that committee and referred to the Committee on Appropriations.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for a reference of H. R. 21452. Is there objection?

Mr. MANN. Reserving the right to object, what is the bill?

Mr. PAGE of North Carolina. It is a bill to authorize the Secretary of the Treasury to audit and adjust certain claims of the State of North Carolina.

Mr. MANN. The Committee on Appropriations would not have any jurisdiction over it.

Mr. PAGE of North Carolina. It carries with it an appropriation of whatever sum is necessary for the payment of the claims.

Mr. MANN. How will it do the gentleman any good to have the bill referred to the Committee on Appropriations? It will not make it in order on an appropriation bill unless it was in order before, and the committee will not report it.



Mr. PAGE of North Carolina. I do not know that I would gain anything by it. I want to say to the gentleman frankly that I have no particular thing that I expect to gain by it.

Mr. MANN. I am not going to object.

Mr. PAGE of North Carolina. To be frank with the gentleman from Illinois, I do not know that the gentleman who introduced the bill will get any report on it from any committee.

Mr. MANN. I think if the gentleman wants it acted upon at any time, it is probably safer in the Committee on Claims than in the Committee on Appropriations. Although it could be brought in on an appropriation bill, it would be subject to a point of order.

Mr. PAGE of North Carolina. If the gentleman objects, I will not press the request.

Mr. MANN. I will not object.

The SPEAKER. Is there objection?

There was no objection.

#### HOOR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

There was no objection.

#### ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until Thursday, February 18, 1915, at 11 o'clock a. m.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 19432) creating an additional judge in the district of New Jersey, reported the same without amendment, accompanied by a report (No. 1412), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RIORDAN: A bill (H. R. 21480) to amend section 3342 of the Revised Statutes of the United States; to the Committee on Ways and Means.

By Mr. HENRY: A bill (H. R. 21481) to encourage agriculture and ownership of farm homes, to reduce the rate of interest and extend the term of farm mortgages, and to provide a fund for the construction and maintenance of good roads; to the Committee on Banking and Currency.

By the SPEAKER (by request): Memorial of the Legislature of the State of California urging Congress to authorize and empower its Committees on Rivers and Harbors to visit the State of California to inspect its harbors and navigable rivers; to the Committee on Rules.

By Mr. DOOLITTLE: Memorial of the State of Kansas asking Congress to take the necessary steps to deal with the Cimarron River situation as affecting the lands of Kansas and Oklahoma; to the Committee on Irrigation of Arid Lands.

By Mr. CAMPBELL: Memorial of the Legislature of the State of Kansas, requesting and urging Congress to take immediate steps for the construction of one or more demonstration plants on the west line of Kansas, to prove the economy of certain forms of irrigation; to the Committee on Irrigation of Arid Lands.

By Mr. FESS: Memorial of the Legislature of the State of Ohio, requesting Congress to protect passenger and shipping interests on the high seas and Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. STOUT: Memorial of the Legislature of the State of Montana, requesting the passage of the now pending act appropriating for reclamation purposes upon the Flathead irrigation project; to the Committee on Appropriations.

By Mr. POUL: Memorial of the General Assembly of North Carolina, urging passage of the administration bill to secure ships for the transportation of American products to the markets of the world; to the Committee on the Merchant Marine and Fisheries.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 21482) for the relief of James Harvey Smith; to the Committee on Claims.

By Mr. HAYES: A bill (H. R. 21483) granting an increase of pension to Taylor B. Friend; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 21484) granting a pension to John B. Gilliam; to the Committee on Pensions.

By Mr. TRIBBLE: A bill (H. R. 21485) for the relief of Annie E. Walton; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of D. E. Herron and other citizens of Tuscarawas County, Ohio, urging a world federation of peace; to the Committee on Foreign Affairs.

Also, petition of Youngstown (Ohio) Sheet & Tube Co., favoring the passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of Seaman Bros. and 20 other merchants of Shelby, Ohio, favoring the passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BAILEY: Petition of B. J. Greiner, of Johnstown, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of Good Will Council, No. 42, Junior Order United American Mechanics, of Tyrone, Pa., opposing amendment opposed to free press; to the Committee on the Post Office and Post Roads.

Also, petition of members of the G. R. C., Knights of St. George, Patton, Pa., relative to suppression of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petitions of sundry citizens of New York, favoring the suppression of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. BUTLER: Petitions of citizens of Tinicum Township, Delaware County, Pa., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also (by request), petition of sundry citizens of Lansdowne, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. CALDER: Memorial of Trinity Lutheran Church, Brooklyn, N. Y., favoring an embargo on war material; to the Committee on Foreign Affairs.

Also, petition of citizens of Brooklyn, N. Y., urging passage of law that when a citizen of one State is acquitted of a crime in another State that he be allowed to return to his own State; to the Committee on the Judiciary.

Also, petition of sundry citizens of New York, favoring passage of bills to prohibit the export of war material; to the Committee on Foreign Affairs.

By Mr. CLAYPOOL: Petition of Sarah Barnett, for special act pension; to the Committee on Invalid Pensions.

By Mr. DALE: Memorial of the National Industrial Traffic League, relative to criticism of regulation of common carriers; to the Committee on Interstate and Foreign Commerce.

Also, petition of the J. L. Mott Iron Works, New York City, protesting against the Alexander shipping bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the United Master Butchers of America, favoring law to prevent slaughter of any calf weighing less than 150 pounds live weight; to the Committee on Agriculture.

By Mr. DAVENPORT: Petition of Holy Ghost Catholic Church, of Vinita, Okla., favoring House bill 20644, relative to certain publications being sent through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Tulsa (Okla.) Commercial Club, favoring House bill 20417, providing for an appropriation to construct a bridge across the Canadian River in Oklahoma; to the Committee on Appropriations.

By Mr. DONOHUE: Petition of citizens of Philadelphia, Pa., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. EAGAN: Memorial of Holy Family Roman Catholic Benevolent Society, of Union Hill, and Henry Corets, of Hoboken, N. J., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.



By Mr. ESCH: Memorial of the National Industrial Traffic League, relative to regulation of common carriers through the medium of the commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: Memorial of citizens of Xenia, Ohio, favoring passage of a bill prohibiting polygamy; to the Committee on the Judiciary.

By Mr. GILMORE: Petition of W. B. Gould, M. W. Gould, F. C. Gould, L. W. Gould, J. E. Gould, H. E. Gould, and E. Gould, of East Dedham, Mass., relative to race segregation laws in the District of Columbia; to the Committee on the District of Columbia.

By Mr. GREENE of Vermont: Memorial of F. J. M. Appleman and 79 others, relative to the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: Memorial of San Jose (Cal.) Council 879, Knights of Columbus, relative to suppression of the Menace; to the Committee on the Post Office and Post Roads.

Also, petition of faculty and students of the State Normal School and citizens of San Jose, Cal., for world court for arbitration of disputes and securing of international peace; to the Committee on Foreign Affairs.

Also, petition of Catholic Federations of Santa Clara County, Cal., protesting against export of war material; to the Committee on Foreign Affairs.

Also, petition of Chamber of Commerce of Los Angeles, Cal., for investigation of 100,000 acres of land in San Bernardino County, Cal., with view of reclamation of same; to the Committee on the Public Lands.

Also, petition of Local Union No. 507, B. of P. D. and P. of A., San Jose, Cal., favoring passage of H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. JOHNSON of Washington: Memorial of citizens of Pysht, Wash., favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. KENT: Petition of the National Socialist Party, addressed to the President and to the Congress of the United States, containing more than 100,000 names, requesting that the Federal Government "establish in the strategic, industrial, and agricultural centers of the Nation food supply depots and such other facilities as are necessary to maintain a just market for the producers, and for the purchase of food products and for the sale of the necessities of life direct to the people"; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition of citizens of Riverside, Cal., favoring passage of a law for cooperative farm finance; to the Committee on Banking and Currency.

By Mr. LANGHAM: Petition of sundry citizens of Pennsylvania, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Petition of sundry citizens of Pleasant Dale, Nebr., relative to embargo on war material; to the Committee on Foreign Affairs.

By Mr. MAHER: Petition of the United Master Butchers of America, recommending that Congress subsidize land for farming and for the purpose of raising live stock; to the Committee on Appropriations.

By Mr. MORIN (by request): Petition of joint legislative committee of Catholic organizations of Pennsylvania, favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also (by request), petition of A. L. Ortman, of Pennsylvania, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also (by request), petition of Women's Missionary Society, Second United Presbyterian Church, Pittsburgh, Pa., favoring constitutional amendment prohibiting polygamy in the United States; to the Committee on the Judiciary.

By Mr. SCULLY: Petition of Onarbett Club Arion, Sayerville, N. J.; German Roman Catholic State League of New Jersey; German Roman Catholic Central Verein, New Brunswick, N. J., favoring embargo on war material; to the Committee on Foreign Affairs.

Also, petition of United Master Butchers of America, relative to law to prevent slaughter of any calf weighing less than 150 pounds; to the Committee on Agriculture.

Also, petition of the National Industrial Traffic League, relative to regulation of common carriers through the medium of the commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: Petition of citizens of Florida, favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. SUMNERS: Petition of sundry citizens of Dallas, Tex., favoring placing an embargo on wheat; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Dallas, Tex., favoring an embargo on all war material except foodstuffs; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of the State of Texas, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: Petition of 170 citizens of Lamoni, Iowa, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of 54 citizens of Yorktown, Iowa, asking for the passage of a law giving the President power to levy an embargo on material useful in war, excepting foodstuffs, etc.; to the Committee on Foreign Affairs.

## SENATE.

THURSDAY, February 18, 1915.

Rev. Robert L. Fultz, of the city of Washington, offered the following prayer:

O God, we devoutly acknowledge Thee to be our sovereign Lord and Master. We rejoice that Thou hast taught us to call Thee Father. As subjects in Thy kingdom, may our wills be wholly dominated by Thy will. As Thy sons, may we imbibe Thy spirit until our obedience shall be the product of an unearthly affection, and our service joyous and fruitful, inspired by the love of God in our hearts. In the name of Thy Son, our Savior. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Norris	Smith, Md.
Bankhead	Hollis	O'Gorman	Smith, Mich.
Brandeggee	Hughes	Oliver	Smith, S. C.
Bryan	James	Overman	Smoot
Burleigh	Johnson	Owen	Stephenson
Burton	Jones	Page	Sterling
Camden	Kenyon	Penrose	Stone
Catron	Kern	Perkins	Sutherland
Chilton	La Follette	Pittman	Swanson
Clark, Wyo.	Lane	Pomerene	Thomas
Clarke, Ark.	Lea, Tenn.	Randsell	Tillman
Culberson	Lippitt	Reed	Townsend
Cummins	Lodge	Robinson	Vardaman
Dillingham	McCumber	Root	Warren
Fall	McLean	Shafroth	Weeks
Fletcher	Martin, Va.	Sheppard	White
Gallinger	Martine, N. J.	Sherman	Williams
Goff	Myers	Simmons	Works
Gronna	Nelson	Smith, Ariz.	
Hardwick	Newlands	Smith, Ga.	

Mr. POMERENE. I was requested to announce that the junior Senator from Delaware [Mr. SAULSBURY] is unavoidably absent, and that he is paired with the junior Senator from Rhode Island [Mr. COLT], without the right of either party to transfer the pair.

Mr. VARDAMAN. I desire to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

The VICE PRESIDENT. Seventy-eight Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of yesterday's proceedings was read.

Mr. BRANDEGEE. Mr. President, there was so much audible conversation in the Chamber I was not sure that I understood the Secretary correctly. I understood him to read from the Journal, in referring to the motion of the Senator from Florida [Mr. FLETCHER], that the Senate disagreed to the House amendments. I simply wish to find out what the Journal does state about it. It is the first reference in the Journal to the motion of the Senator from Florida.

The VICE PRESIDENT. The Secretary will read the part of the Journal referred to.

The Secretary read as follows:

On motion by Mr. FLETCHER, that the Senate disagree to the amendments of the House of Representatives to the said bill, and ask a conference with the House on the disagreeing votes of the two Houses thereon, and that seven conferees on the part of the Senate be appointed by the Vice President.

Mr. LODGE asked for a division of the question.

Mr. BRANDEGEE. That is enough, Mr. President.

The VICE PRESIDENT. If there be no objection or correction, the Journal will stand approved as read.